~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 5:3: “In Psalm 5, David wrote, “My voice you shall hear in the morning, O Lord; in the morning I direct it to you and I will look up.”

Let us pray. We give thanks to You, O Lord, for the love that You have for us as Your people. May we seek Your guidance in all we do today. Guide each of these Representatives to give their best in serving. Make Your face to shine upon our Nation, President, State, Governor, Speaker, staff, and all who contribute to the cause of freedom. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. FUNDERBURK moved that when the House adjourns, it adjourn in memory of Fergus Reid Buckley of Camden, which was agreed to.

**REPORT RECEIVED**

The following was received:

**Review and Oversight Commission**

**on the South Carolina Ports Authority**

**Report of Qualifications**

The Review and Oversight Commission on the South Carolina Ports Authority met on Wednesday, April 30, 2014 in Room 308 of the Gressette Building. The Commission considered the reappointment of Mr. David J. Posek to the Board of the South Carolina Ports Authority.

Act 73 of 2009 vests the Oversight Commission with the duty to screen each person appointed to serve on the Board, giving due consideration to the ability, area of expertise, dedication, compassion, common sense, and integrity of each candidate, and to determine if each candidate is qualified.

The Commission considered these factors, and by unanimous vote, found that Mr. Posek is qualified and meets the requirements provided by law to serve as a member of the Board of Directors of the State Ports Authority. The Commission delivered its findings to the Clerk of the Senate, the Clerk of the House of Representatives, and the Senate Transportation Committee for confirmation.

STATEWIDE REAPPOINTMENT

Board of Directors of the South Carolina Ports Authority

Term Commencing: 2/13/2013

Term Expiring: 2/13/2018

Mr. David J. Posek

Pawleys Island

Received as information.

**REPORT RECEIVED**

The following was received:

Joint Transportation Review Committee

Date: April 30, 2014

To: Members and Interested Parties

From: Joint Transportation Review Committee

Re: Report of Initial Findings - SCDOT Commission's 3rd District

Preliminary Report:

The Joint Transportation Review Committee met on April 30, 2014 to consider the qualifications of applicants for the South Carolina Department of Transportation Commission.  The Committee made the following findings.\*

Unless otherwise notified, this report will become final at 12:00 p.m. on Friday, May 2, 2014.

Mr. Ernest R. Gunnells, Honea Path -- QUALIFIED

Dr. Harry C. Stille, Jr., Due West -- QUALIFIED

Mr. William M. Lowish, Edgefield -- NOT QUALIFIED

\*CANDIDATES ARE PROHIBITED FROM SOLICITING VOTES UNTIL AFTER 12:00 P.M. ON FRIDAY, MAY 2, 2014.  Members of the General Assembly may not pledge their vote until after 12:00 p.m. on Friday, May 2, 2014.

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5160 -- Reps. Clemmons, Anderson, H. A. Crawford, Edge, George, Hardee, Hardwick, Hayes, Ryhal, Alexander, Allison, Anthony, Atwater, Bales, Ballentine, Bannister, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clyburn, Cobb-Hunter, Cole, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, Gilliard, Goldfinch, Govan, Hamilton, Harrell, Hart, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO COMMEND THE HONORABLE LISTON D. BARFIELD OF HORRY COUNTY FOR HIS TWENTY-THREE YEARS OF COMMITTED SERVICE AS A MEMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND TO WISH HIM ALL THE BEST IN THE YEARS TO COME.

Whereas, the Honorable Liston D. Barfield of Horry County for twenty‑three years has loyally represented the citizens of House District 58 in the House of Representatives of this great State; and

Whereas, in preparation for his life’s work, Liston Barfield earned his bachelor’s degree in 1975 at Coastal Carolina University and his master’s degree from Webster University in 1983. He has also been awarded honorary doctorates from Francis Marion University (2005) and Coastal Carolina University (2007). A resident of Aynor, he serves his area as an independent insurance agent and real estate broker; and

Whereas, heeding the call of his country, the young Liston Barfield served in the U.S. Army for six years. As a veteran of the Vietnam War, he is a member of the Veterans Monument Committee; and

Whereas, Representative Barfield has always believed strongly in personal involvement with his community, and his convictions have led him to serve that community and the broader community of South Carolina and beyond in numerous capacities. These include membership in the Aynor Lions Club, South Carolina Commission on International Cooperation and Agreements, and American Legislative Exchange Council (ALEC) Board of Directors. He also serves as national secretary for ALEC and in 2005 was named Legislator of the Year for that organization; and

Whereas, in recognition of his spirit of excellence and dedicated service to the people of South Carolina, Liston Barfield has been granted various additional honors, as well, among them the revered Coastal Carolina University Founders Medallion (2005) and Friend of Foreign Service Medal (presented by the Minister of Foreign Affairs of Taiwan, 2005); and

Whereas, this man of faith, who enjoys participation in his local prayer center, finds strength for the accomplishment of his duties in the firm support of his family. Married to the former Norma Jean Allen since 1967, he is the proud father of two sons, James Douglas and Brett Allen; and

Whereas, as a South Carolina House member, Representative Barfield has served with distinction on the Invitations and Memorial Resolutions Committee (chairman) and Ways and Means Committee; and

Whereas, on the occasion of his retirement from the House of Representatives, his House colleagues, grateful for Liston Barfield’s faithful service in that body, extend their best wishes for much success and fulfillment in the new challenges he looks forward to in the days ahead. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, commend the Honorable Liston D. Barfield of Horry County for his twenty‑three years of committed service as a member of the South Carolina House of Representatives and wish him all the best in the years to come.

Be it further resolved that a copy of this resolution be presented to our distinguished colleague, the Honorable Liston D. Barfield.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5161 -- Reps. Lucas, Munnerlyn, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE TED M. VICK OF CHESTERFIELD COUNTY FOR HIS DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that Ted M. Vick will depart from the House of Representatives at the conclusion of his current term; and

Whereas, born in Cheraw on November 14, 1972, he is the son of Julian Ted and Jan Sellers Vick; and

Whereas, he earned a bachelor degree from The Citadel in 1995, where he was inducted into the Honor Society of Phi Kappa Phi and was listed in *Who*’*s Who in American Colleges*. He earned a master of education degree the University of South Carolina in 1997; and

Whereas, in the patriotic tradition of a Palmetto son, he has served in the South Carolina National Guard with distinction since 1990, attaining the rank of lieutenant colonel and completing the United States Army Command and General Staff College in 2011; and

Whereas, on January 14, 1995, he married his beloved wife, Melissa Gainey Vick, and together they have two fine children, Willow Grace and Laurel Faith; and

Whereas, when away from his duties in the House of Representatives, he is a businessman, serving as president of MTV Properties, LLC, since 2002, and president of V & B Properties, Inc., since 2003; and

Whereas, Ted Vick was honored as the 2005 Legislator of the Year by CIADA and as the 2010 Farm Bureau Legislator of the Year. He served as a member of the state superintendent of education’s Transition Leadership Team from 2006 to 2007, and as chairman of the South Carolina Legislative Sportsmen’s Caucus; and

Whereas, an active member of Lower Macedonia Baptist Church, he also serves as Worshipful Master of Ruby Masonic Lodge 314 and secretary of the Sandhills Citadel Club, and he is a member of American Legion Post 74; and

Whereas, Ted Vick has faithfully served the citizens of District 53 in Chesterfield and Lancaster counties in the House of Representatives since 2005, during which time he has served as chairman of the House Interstate Cooperation Committee; secretary of the Agriculture, Natural Resources & Environmental Affairs Committee; chairman of the Chesterfield County Delegation; chairman of the Agriculture Subcommittee; chairman of the Chesterfield County Coordination Council; and the Democratic Whip from 2006 to 2010; and

Whereas, the members of the House of Representatives will miss the sincere and keen service that Ted Vick, their friend and colleague, has given to the House of Representatives, and hope that he will enjoy deep fulfillment in the years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the HonorableTed M. Vick of Chesterfield County for his dedicated service in the House of Representatives on behalf of his constituents and the citizens of South Carolina, and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Ted M. Vick.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5162 -- Reps. Erickson, Bowers, Herbkersman, Hodges, Newton, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Hiott, Hixon, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Norman, Norrell, R. L. Ott, Owens, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE ANDY PATRICK OF BEAUFORT COUNTY FOR HIS DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that the Honorable Andy Patrick will depart from the House of Representatives at the conclusion of his current term; and

Whereas, the son of Leon and Joy Patrick, he was born on August 5, 1969, in Warsaw, New York, and earned a bachelor of science degree from the State University of New York‑Brockport in 1995; and

Whereas, he served in the United States Air Force with distinction from 1987 to 1992 and as a staff sergeant and security specialist from 1992 to 1995 in the New York Air National Guard; and

Whereas, from 1996 to 1997, he served as a trooper with the New York State Police, and from 1997 to 2007, he was a special agent with the United States Secret Service; and

Whereas, away from his duties in the House of Representatives, he currently resides on Hilton Head Island and serves as the managing director of The Petrus Group; and

Whereas, he has faithfully served the citizens of District 123 in the House of Representatives since 2011, during which time he has served on the Education and Public Works Committee; and

Whereas, in all of his service, he has provided genuine concern and thoughtful deliberation to his colleagues in the House of Representatives; and

Whereas, a devoted father, he has five fine children: Joel, Hannah, Emma, Sasha, and Vlademir; and

Whereas, the members of the House of Representatives will miss the sincere and ardent service that their friend and colleague, Andy Patrick, has given to the House of Representatives and hope that he will enjoy deep fulfillment in the years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the Honorable Andy Patrick of Beaufort County for his dedicated service in the House of Representatives on behalf of his constituents and the citizens of South Carolina and wish him continued success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Andy Patrick.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5163 -- Reps. Alexander, K. R. Crawford, Lowe, Williams, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Willis and Wood: A HOUSE RESOLUTION TO COMMEND THE HONORABLE LESTER P. BRANHAM, JR., FOR HIS COMMITTED SERVICE TO THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND THE CITIZENS OF DISTRICT 61 IN FLORENCE AND MARION COUNTIES AND TO WISH HIM FULFILLMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, for twelve years, the Honorable Lester P. Branham, Jr., has represented the citizens of House District 61 in Florence and Marion counties with faithfulness in the House of Representatives of this great State; and

Whereas, a retired minister, Lester P. Branham, Jr., earned his bachelor’s degree at Wake Forest University in 1955, followed by a degree from Southeastern Baptist Theological Seminary in 1958; and

Whereas, during his years in the House of Representatives, Lester P. Branham has proven his worth as a member of the Education and Public Works Committee; and

Whereas, Representative Branham firmly believes in active participation in the community, and his convictions have led him to serve that community and beyond in various ways. Past positions include membership on the board for Florence County School District Three (1979‑1988; board chairman, 1982‑1988); and

Whereas, other past or present positions include member of the South Carolina Baptist Convention General Board (1967‑1972; chairman, executive committee, 1971‑72); trustee for Furman University (1973‑1979); board member for the Baptist Healthcare System (1986‑; board chairman, 1993‑); director for Palmetto Health (1996‑); chairman, Palmetto Health Board of Directors (1996‑2000; presently chairman emeritus); and

Whereas, at home, he is the proud husband of the former Dorothy Ruth Hayes, whom he wed on August 10, 1956. God blessed the couple with two children, Lester P. Branham III and Maria Ruth Matthews. Representative Branham draws strength from their strong support; and

Whereas, on the occasion of his departure from the House of Representatives, his House colleagues, grateful for Lester P. Branham’s committed service to this body and the people of District 61, extend warmest good wishes for much contentment in the new challenges he looks forward to in the days to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, commend the Honorable Lester P. Branham, Jr., for his committed service to the South Carolina House of Representatives and the citizens of District 61 in Florence and Marion counties and wish him fulfillment and success in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to our distinguished colleague, the Honorable Lester P. Branham, Jr.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5164 -- Reps. Hiott, Putnam, Sandifer, Skelton, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Parks, Patrick, Pitts, Pope, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sellers, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE PHILLIP D. "PHIL" OWENS OF PICKENS COUNTY FOR HIS DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA UPON HIS RETIREMENT FROM THE HOUSE, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with genuine regret that the Honorable Phillip D. “Phil” Owens will not return to the House of Representatives after the conclusion of his current term; and

Whereas, born in Pickens in 1951, he is the son of Fred William and Lillian Parsons Owens and earned a bachelor of arts degree from the University of South Carolina in 1973; and

Whereas, he and his beloved wife, the former Lynn Catherine Southerland, reared two fine children, Lori Jill and Kathryn Diana, and when away from his duties in the House of Representatives, he is a highly respected businessman and civic leader in the city of Easley, Pickens County, and in the upstate of South Carolina; and

Whereas, deeply involved in his community, he served on the advisory board of First Union/Wachovia Bank Upstate from 1998 to 2002 and of Carolina First Bank from 2002 to 2007, and for more than a decade, he served on the board of the Pickens County YMCA, part of that time as its chief visionary officer (CVO); and

Whereas, a faithful member of St. Andrews United Methodist Church, he served on the church finance committee in 2011 and on the Pickens County Salvation Army board from 1995 to 1998; and

Whereas, he also served on the board of the Palmetto Baptist Medical Center Foundation from 1999 to 2002 and again from 2008 to 2009 and as the national co‑chairman of the Leadership for Healthy Communities from 2010 to 2011; and

Whereas, a member of Rotary International, Phil Owens, has served on the Greater Easley Chamber of Commerce since 1993 and as its president in 1994 and again from 2001 to 2004; and

Whereas, Phil Owens has faithfully served the citizens of District 5 in Pickens County in the House of Representatives since 2002, using his knowledge and experience gained in the private sector to great advantage in the performances of his public duties; and

Whereas, in all of his service, he has led by example through his quiet but friendly and effective demeanor, and has provided clear leadership and practical business acumen borne of his personal experience to address the challenges of South Carolina; and

Whereas, as evidence of the respect in which he is held by his colleagues, he was elected Chairman of the House Education and Public Works Committee, a position in which he currently serves. During his term as Chairman, he has shepherded through many important legislative initiatives to the great advantage of students in grades kindergarten through twelve as well as in higher education; and

Whereas, the members of the House of Representatives will miss the keen and exemplary service that Phil Owens, their friend and colleague, has given during his service in the General Assembly and hope that he will enjoy deep fulfillment in the years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the HonorablePhillip D. “Phil” Owens of Pickens County for his dedicated service in the House of Representatives on behalf of his constituents and the citizens of South Carolina upon his retirement from the House, and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Phillip D. “Phil” Owens.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5165 -- Reps. Hayes, Lucas, Vick, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE ELIZABETH R. MUNNERLYN OF MARLBORO COUNTY FOR HER DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HER CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that Elizabeth R. Munnerlyn will depart from the House of Representatives at the conclusion of her current term; and

Whereas, the daughter of Carolyn B. and John I. Rogers III, she was born in Bennettsville on June 20, 1969, and she earned a bachelor degree from Converse College in 1990 and a juris doctor degree from the University of South Carolina School of Law in 1993; and

Whereas, from 1993 to 1994, she served as a law clerk for Circuit Court Judge James E. Lockemy, and then she served as an assistant solicitor for the 4th Circuit Solicitor’s office from 1994 to 2010; and

Whereas, on December 29, 1990, she married her beloved husband, J. Ronald Munnerlyn, Jr., and together they have two fine children, Mary Catherine and William Ford, and when away from her duties in the House of Representatives, she practices law; and

Whereas, an active member of First Presbyterian Church of Bennettsville, she teaches Sunday school and served as a deacon from 1995 to 1998 and again from 2008 to 2011; and

Whereas, deeply involved in her community, she was a member of the Junior Charity League of Marlboro County from 1994 to 2004, serving as its president from 2001 to 2002; she was a board member of the United Way of Marlboro County from 2000 to 2005; and she has been a member of the Kiwanis Club of Bennettsville since 2000, serving as its president from 2003 to 2004; and

Whereas, she has faithfully served the citizens of District 54 in Chesterfield, Darlington, and Marlboro counties in the House of Representatives since 2011, during which time she has served on the Ethics and Judiciary committees; and

Whereas, the members of the House of Representatives will miss the dedicated and impassioned service that Elizabeth R. Munnerlyn, their friend and colleague, has given to the House of Representatives and hope that she will enjoy meaningful fulfillment in the years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the HonorableElizabeth R. Munnerlyn of Marlboro County for her dedicated service in the House of Representatives on behalf of her constituents and the citizens of South Carolina and wish her much success and happiness in all her future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Elizabeth R. Munnerlyn.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5166 -- Reps. Hosey, Cobb-Hunter, Govan, R. L. Ott, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO THANK THE HONORABLE BAKARI T. SELLERS FOR HIS COMMITTED SERVICE TO THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND THE CITIZENS OF DISTRICT 90 IN BAMBERG, BARNWELL, AND COLLETON COUNTIES AND TO WISH HIM CONTENTMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, for eight years, the Honorable Bakari T. Sellers has represented the citizens of House District 90 in Bamberg, Barnwell, and Colleton counties in the House of Representatives of this great State; and

Whereas, born September 18, 1984, the son of Dr. Cleveland and Mrs. Gwendolyn Sellers, this Denmark attorney received his bachelor degree at Morehouse College in 2005, followed in 2008 by his juris doctor degree, earned at the University of South Carolina School of Law; and

Whereas, Bakari Sellers long has been interested in legislative service. To explore this interest, he served as a Congressional intern with Congressman Jim Clyburn (2003) and as a mayoral intern with Mayor Shirley Franklin (2004); and

Whereas, during his years in the House of Representatives, Bakari Sellers has given his energies in service to the Judiciary Committee; and

Whereas, Representative Sellers believes in giving back to his community and does so in service to various organizations. Past or present service includes membership in the Morehouse College Board of Trustees (2004‑2005), Obama for America South Carolina Steering Committee (2007‑2008), and St. Philip’s Episcopal Church (current); and

Whereas, Bakari Sellers’ colleagues in the House of Representatives, understanding he will not seek re‑election, wish to express their gratitude for his dedicated service to this body and the people of District 90. The members extend heartiest wishes for all the best life has to offer in the coming years. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, thank the Honorable Bakari T. Sellers for his committed service to the South Carolina House of Representatives and the citizens of District 90 in Bamberg, Barnwell, and Colleton counties and wish him contentment and success in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to our distinguished colleague, the Honorable Bakari T. Sellers.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5167 -- Reps. Hiott, Owens, Putnam, Sandifer, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Parks, Patrick, Pitts, Pope, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sellers, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO COMMEND THE HONORABLE B.R. SKELTON FOR HIS COMMITTED SERVICE TO THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND THE CITIZENS OF DISTRICT 3 IN PICKENS COUNTY AND TO WISH HIM CONTENTMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, for twelve years, the Honorable B.R. Skelton has represented the citizens of House District 3 in Pickens County with faithfulness in the House of Representatives of this great State; and

Whereas, an arbitrator/mediator, residential contractor, real estate broker, and Clemson University professor emeritus of economics, B.R. Skelton earned his bachelor’s degree at Clemson University in 1956 and his master’s degree in 1958 at the same institution, followed by a doctorate from Duke University in 1964; and

Whereas, during his years in the House of Representatives, B.R. Skelton has proven his worth as a member of the Ways and Means Committee; and

Whereas, Representative Skelton firmly believes in active participation in the community and has demonstrated that conviction through many years of civic and public service. Past positions include service as a member of Clemson City Council (1971‑1974), Pickens County Planning Commission (1980s), and Pickens County Economic Development Alliance (1996‑2002). He has also served as chair of the Pickens County Transportation “C” Fund Commission (1995‑2002); and

Whereas, as a proud husband and father, he finds his beloved wife, the former Vickie Lynn Roach, and his four children, Ginger, Dana, Will, and John, a blessing. He draws his strength from their strong support; and

Whereas, on the occasion of his departure from the House of Representatives, his House colleagues, grateful for B.R. Skelton’s dedicated service to this body and the people of District 3, extend heartiest good wishes for much fulfillment in the new challenges he looks forward to in the days ahead. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, commend the Honorable B.R. Skelton for his committed service to the South Carolina House of Representatives and the citizens of District 3 in Pickens County and wish him contentment and success in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to our distinguished colleague, the Honorable B. R. Skelton.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5168 -- Reps. Hixon, Clyburn, Taylor, Wells, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Thayer, Toole, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE J. ROLAND SMITH OF AIKEN COUNTY FOR HIS DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that J. Roland Smith will depart from the House of Representatives at the conclusion of his current term; and

Whereas, born in Aiken County in 1933, he was awarded a degree from Universal Bible Institute in Alamo, Tennessee, and received continuing education at the University of South Carolina‑Aiken and at Oral Roberts University in Tulsa, Oklahoma; and

Whereas, with his beloved wife of more than sixty years, Peggy C. Cato, he resides in Langley, and together they reared three fine children: Garry, Todd, and Caroline; and

Whereas, away from his duties in the House of Representatives, he served as a rural mail carrier, from which he is retired, and as a minister and businessman; and

Whereas, he has been deeply involved in his community, serving as commander of Beech Island Rural Community Water District for ten years and on the Aiken County Board of Education for six years, four years as its vice chairman; and

Whereas, he has faithfully served the citizens of District 84 in the House of Representatives since March of 1989 with sound constructive guidance and leadership, during which time he has served on the House Agriculture and Natural Resources Committee and on the Labor, Commerce and Industry Committee and the Property and Casualty Insurance Subcommittee and Labor and Commerce Subcommittee; and

Whereas, Representative Smith’s quiet, but calm disposition along with his deliberate and determined manner have served him well throughout his tenure at the General Assembly, including his prior service as Chairman of the House Ethics Committee and his current service as third Vice Chair of the Ways and Means Committee and as Chairman of the Ways and Means Transportation and Regulatory Subcommittee; and

Whereas, the members of the House of Representatives will miss the keen and dedicated service that J. Roland Smith, their friend and colleague, has given to the House of Representatives, and hope that he will enjoy deep fulfillment in the years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the HonorableJ. Roland Smith of Aiken County for his dedicated service in the House of Representatives on behalf of his constituents and the citizens of South Carolina and wish him continued success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable J. Roland Smith.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5169 -- Reps. Clyburn, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO DECLARE WEDNESDAY, APRIL 30, 2014, AS "LINKS DAY AT THE CAPITOL", TO RECOGNIZE THE MEMBERS OF THE SOUTH CAROLINA CHAPTER OF THE SOUTHERN AREA OF THE LINKS, INC., AND TO COMMEND THEIR EFFORTS AND ADVOCACY IN SEEKING TO ELIMINATE HEALTH DISPARITIES IN THE PALMETTO STATE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5170 -- Reps. Parks, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND REVEREND ADRIAN WIDEMAN AND THE MOUNT OLIVE BAPTIST CHURCH CONGREGATION FOR THEIR MEANINGFUL SPIRITUAL MINISTRY IN THE TOWN OF NINETY SIX AND TO CONGRATULATE THEM UPON THE OCCASION OF THE ONE HUNDRED FORTIETH ANNIVERSARY OF THE ORGANIZATION OF THE CHURCH.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5171 -- Reps. Rutherford, Howard, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND LIEUTENANT COLONEL (RETIRED) HAYWOOD M. BAZEMORE, DIRECTOR OF THE BENEDICT COLLEGE CAMPUS POLICE DEPARTMENT, FOR HIS OUTSTANDING LEADERSHIP AND SERVICE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5172 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF CLAUDIA CRAFT JORDAN OF SUMTER AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5173 -- Rep. Funderburk: A HOUSE RESOLUTION TO COMMEND THE CAMDEN FIRST UNITED METHODIST WOMEN ON THEIR SPONSORSHIP OF THE FOURTH ANNUAL 5K TEEN PREGNANCY PREVENTION WALK-A-THON AND TO WISH THEM MUCH SUCCESS IN SUPPORTING THIS WORTHY CAUSE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5174 -- Reps. Gilliard, Whipper, R. L. Brown and Mack: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR KEVIN DAVID GADSDEN, SR., FOR OUTSTANDING AND TIRELESS SERVICE TO HIS COMMUNITY.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5175 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RODNEY MCCLURE FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5176 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ROBERT USSERY FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5177 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TIMOTHY SIEVERS FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5178 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JOHN "JACK" MITCHELL FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5179 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JERRY HILL, JR., FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5180 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TERRELL BURCH FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5181 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MARY BOTHNER FOR HER EXTRAORDINARY VOLUNTEER SERVICE TO HER COMMUNITY AND TO CONGRATULATE HER UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1161 -- Senator Hutto: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE JUNCTURE OF INTERSTATE 95 AND SOUTH CAROLINA HIGHWAY 61 IN COLLETON COUNTY "SCHP PATROLMAN FIRST CLASS WILLIE E. PEEPLES MEMORIAL INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "SCHP PATROLMAN FIRST CLASS WILLIE E. PEEPLES MEMORIAL INTERCHANGE".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1166 -- Senators Turner, Allen, Fair, Alexander, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Scott, Setzler, Shealy, Sheheen, Thurmond, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 37 ALONG INTERSTATE HIGHWAY 385 IN GREENVILLE COUNTY "LT. GOVERNOR NICK AND EMILIE THEODORE INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "LT. GOVERNOR NICK AND EMILIE THEODORE INTERCHANGE".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1190 -- Senator Hutto: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE JUNCTURE OF INTERSTATE 26 AND UNITED STATES HIGHWAY 601 IN ORANGEBURG COUNTY "SCHP PATROLMAN FIRST CLASS ROY O. CAFFEY MEMORIAL INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE

THAT CONTAIN THE WORDS "SCHP PATROLMAN FIRST CLASS ROY O. CAFFEY MEMORIAL INTERCHANGE".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1191 -- Senator Hutto: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF UNITED STATES HIGHWAY 15 AND UNITED STATES HIGHWAY 301 IN ORANGEBURG COUNTY "SCHP PATROLMAN HARRY B. RAY MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "SCHP PATROLMAN HARRY B. RAY MEMORIAL INTERSECTION".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**INTRODUCTION OF BILLS**

The following Bills was introduced, read the first time, and referred to appropriate committees:

H. 5182 -- Rep. Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-1-70 SO AS TO PROVIDE THAT A PUBLIC UTILITY MAY USE EASEMENTS RELATED TO PUBLIC HIGHWAYS OR ROADS FOR PURPOSES RELATED TO THAT UTILITY IF GRANTED A PERMIT BY THE STATE OR LOCAL GOVERNMENT ENTITY AND SATISFACTION OF OTHER CONDITIONS, AND TO PROVIDE THAT A STATE OR LOCAL GOVERNMENT ENTITY MAY GRANT THE PERMIT BASED ON ITS PRESCRIPTIVE AUTHORITY FOR THE EXPANSION OF UTILITIES.

Referred to Committee on Judiciary

S. 890 -- Senators Cleary and Rankin: A BILL TO AMEND SECTION 48-39-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, SO AS TO DELETE THE EMERGENCY ORDER EXCEPTION TO ORDERS BY APPOINTED OFFICIALS OF COUNTIES AND MUNICIPALITIES; TO AMEND SECTION 48-39-280, RELATING TO THE SHORELINE FORTY-YEAR RETREAT POLICY, SO AS TO PROHIBIT THE SEAWARD MOVEMENT OF THE BASELINE AFTER JULY 1, 2014, AND TO ELIMINATE THE RIGHT OF LOCAL GOVERNMENTS AND LANDOWNERS TO PETITION THE ADMINISTRATIVE LAW COURT TO MOVE THE BASELINE SEAWARD UPON COMPLETION OF A BEACH RENOURISHMENT PROJECT; AND TO AMEND SECTION 48-39-290, AS AMENDED, RELATING TO CONSTRUCTION RESTRICTIONS SEAWARD OF THE BASELINE, EXCEPTIONS TO RESTRICTIONS, AND SPECIAL PERMITS, SO AS TO ELIMINATE THE EXCEPTION OF GOLF COURSES FROM A PERMIT REQUIREMENT AND TO SUBSTITUTE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AS THE DIVISION TO CONSIDER APPLICATIONS FOR SPECIAL PERMITS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Felder | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hodges | Howard | Jefferson |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Putnam |
| Ridgeway | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Sellers | Simrill | Skelton |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Vick | Weeks |
| Wells | Whitmire | Williams |
| Wood |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, April 30.

|  |  |
| --- | --- |
| Carl Anderson | Beth Bernstein |
| Mike Burns | Bill Chumley |
| Derham Cole, Jr. | Shannon Erickson |
| Kirkman Finlay | William "Bill" Hixon |
| Jenny A. Horne | Lonnie Hosey |
| Chip Huggins | David Mack |
| Mia S. McLeod | Elizabeth Munnerlyn |
| Joseph Neal | Weston Newton |
| Shannon Riley | G. Murrell Smith |
| Kit Spires | McLain R. "Mac" Toole |
| Jackson "Seth" Whipper | Mark Willis |
| Harold Mitchell | Ronnie A. Sabb |
| Brian White | Richard "Rick" Quinn |
| Chris Hart |  |

**Total Present--118**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GAMBRELL a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BRANNON a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BANNISTER a leave of absence for the day due to family medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. KING a leave of absence for the day due to a death in the family.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Chris Mahr of Sumter, was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. KENNEDY presented to the House the Batesburg-Leesville High School 2013 Class AA Division II State Varsity Football Team, their coaches, and other school officials.

**SPECIAL PRESENTATION**

Rep. W. J. MCLEOD presented to the House the Newberry High School 2014 Class AA State Boys Varsity Basketball Team, their coaches, and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co‑sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co‑sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member’s or co‑sponsor’s written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4742 |
| Date: | ADD: |
| 04/30/14 | WHIPPER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4996 |
| Date: | ADD: |
| 04/30/14 | WHIPPER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4612 |
| Date: | ADD: |
| 04/30/14 | WHIPPER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5072 |
| Date: | ADD: |
| 04/30/14 | M. S. MCLEOD |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4265 |
| Date: | REMOVE: |
| 04/30/14 | R. L. BROWN |

**CO-SPONSORS REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 5073 |
| Date: | REMOVE: |
| 04/30/14 | GAGNON, TAYLOR and SABB |

**CO-SPONSORS REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 5072 |
| Date: | REMOVE: |
| 04/30/14 | SABB and GAGNON |

**H. 3198--NONCONCURRENCE IN SENATE AMENDMENTS**

On the motion of Rep. J. E. SMITH, with unanimous consent, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 3198 -- Reps. J. E. Smith, M. S. McLeod, Bernstein, Ballentine and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-27-115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7-27-110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

Rep. J. E. SMITH explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 91

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| Branham | G. A. Brown | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Howard |
| Huggins | Jefferson | Kennedy |
| Limehouse | Loftis | Long |
| Lucas | McCoy | McEachern |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Putnam | Ridgeway | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Wells |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--91**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 5134--DEBATE ADJOURNED**

The following Bill was taken up:

H. 5134 -- Rep. W. J. McLeod: A BILL TO AMEND ACT 485 OF 1998, RELATING TO THE ELECTION PROCEDURES APPLICABLE TO THE NEWBERRY COUNTY BOARD OF EDUCATION, SO AS TO AMEND THE FILING PERIOD DATES AND THE DATES THAT THE COUNTY ELECTION COMMISSION SHALL EXAMINE PETITIONS AND VERIFY SIGNATURES.

Rep. HODGES moved to adjourn debate on the Bill, which was adopted.

**SENT TO THE SENATE**

The following Bills and Joint Resolution were taken up, read the third time, and ordered sent to the Senate:

H. 5005 -- Reps. Bannister, Lowe, G. M. Smith, Weeks, Quinn, McEachern, Hamilton and Bedingfield: A BILL TO AMEND SECTION 5-31-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF MUNICIPALITIES IN REGARD TO MUNICIPAL UTILITIES INCLUDING A WATER SYSTEM, SO AS TO CLARIFY THAT A REFERENDUM AND FAVORABLE VOTE OF THE MUNICIPAL ELECTORATE IS NOT REQUIRED FOR THE SALE OF A WATER SYSTEM; AND BY ADDING SECTION 5-31-1315 SO AS TO PROVIDE THAT NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO MUNICIPALITY SHALL BE REQUIRED TO CONDUCT A REFERENDUM, AND OBTAIN A FAVORABLE VOTE THEREIN, PRIOR TO THE SALE OF A WATER SYSTEM.

H. 4458 -- Reps. Sandifer and Owens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-456 SO AS TO PROVIDE A SCHOOL DISTRICT MAY EDUCATE STUDENTS ABOUT THE HOLIDAYS OF TRADITIONAL WINTER CELEBRATIONS IN A CERTAIN MANNER, AND TO PROVIDE THAT A SCHOOL DISTRICT MAY DISPLAY CERTAIN SYMBOLS ASSOCIATED WITH THESE HOLIDAYS ON SCHOOL PROPERTY UNLESS THE DISPLAY INCLUDES A MESSAGE THAT ENCOURAGES ADHERENCE TO A PARTICULAR RELIGIOUS BELIEF.

H. 5014 -- Reps. Willis, Owens and Daning: A BILL TO AMEND SECTION 56-1-2100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COMMERCIAL DRIVER LICENSE, SO AS TO DELETE THE VARIOUS ENDORSEMENTS AND RESTRICTIONS THAT MAY BE ATTACHED TO A COMMERCIAL DRIVER LICENSE, AND THAT ENDORSEMENTS AND RESTRICTIONS MAY BE ADDED TO A COMMERCIAL DRIVER LICENSE AS REQUIRED UNDER THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS.

H. 3958 -- Rep. Quinn: A BILL TO AMEND CHAPTER 23, TITLE 23, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE THAT THIS CHAPTER ALSO RELATES TO THE CRIMINAL JUSTICE ACADEMY, TO PROVIDE DEFINITIONS FOR THE TERMS "ACADEMY" AND "DIRECTOR", TO CORRECT CERTAIN REFERENCES, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 17-5-130, AS AMENDED, RELATING TO THE QUALIFICATIONS FOR THE ELECTION OF AND TRAINING FOR CORONERS, SO AS TO SUBSTITUTE THE TERM "SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY" FOR THE TERM "DEPARTMENT OF PUBLIC SAFETY"; TO AMEND SECTION 24-5-340, RELATING TO RESERVE DETENTION OFFICERS, SO AS TO SUBSTITUTE THE TERM "SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY" FOR THE TERM "DEPARTMENT OF PUBLIC SAFETY"; TO AMEND SECTIONS 63-19-1860 AND 63-19-1880, BOTH RELATING TO THE CONDITIONAL RELEASE OF A JUVENILE AND THE EMPLOYMENT OF PROBATION COUNSELORS, SO AS TO SUBSTITUTE THE TERM "SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL" FOR THE TERM "DEPARTMENT OF PUBLIC SAFETY", AND TO CORRECT CERTAIN REFERENCES TO THE CODE OF LAWS.

H. 3834 -- Reps. Loftis, W. J. McLeod, Neal, Williams, Bannister, R. L. Brown, Hosey, Ridgeway, Stavrinakis, Merrill and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3586 SO AS TO ALLOW AN INCOME AND OTHER SPECIFIED TAX CREDITS FOR TWENTY-FIVE PERCENT OF THE TOTAL COST OF A SOLAR ENERGY SYSTEM PLACED IN SERVICE IN 2013 THROUGH 2018, TO PROVIDE CEILINGS ON THE AMOUNT OF THE CREDIT THAT MAY BE CLAIMED IN ONE YEAR AND PROVIDE FOR THE TIMING OF CREDITS, TO PROVIDE FOR THE ALLOCATION OF THE CREDIT IN THE CASE OF CERTAIN PASS-THROUGH ENTITIES, AND TO REQUIRE THE TAXPAYER TO ELECT THE CREDIT TO APPLY IN THE CASE OF OVERLAPPING CREDITS.

H. 4828 -- Rep. Pitts: A BILL TO AMEND SECTION 9-8-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE ADMINISTRATIVE LAW JUDGES IN THE DEFINITION OF "JUDGE"; AND TO AMEND SECTION 9-8-40, AS AMENDED, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW ADMINISTRATIVE LAW JUDGES SERVING ON JULY 1, 2014, TO ELECT TO BECOME A MEMBER.

H. 3733 -- Reps. Pope, Stringer, Simrill, J. R. Smith, Lucas, Skelton, Southard, Patrick, Bedingfield, Hamilton, Atwater, Huggins, Allison, Ballentine, Barfield, Bernstein, Branham, Chumley, Cole, Erickson, Felder, Finlay, Forrester, Gagnon, Hardee, Henderson, Hixon, Kennedy, King, Loftis, Long, Lowe, D. C. Moss, Norman, Owens, Rivers, G. R. Smith, Tallon, Taylor, Toole and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE WHEN CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE FOR CONSERVATION OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE FOR CONSERVATION OR OPEN SPACE USE; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT.

H. 4518 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-420 SO AS TO PROVIDE THAT NO PORTION OF THE LOTTERY NET PROCEEDS MAY BE APPROPRIATED FOR CAPITAL IMPROVEMENT PROJECTS AT OR ASSOCIATED WITH AN INSTITUTION OF HIGHER LEARNING.

H. 5084 -- Reps. Bannister and Dillard: A JOINT RESOLUTION DIRECTING THE STATE BUDGET AND CONTROL BOARD TO TRANSFER FROM THE STATE OF SOUTH CAROLINA TO THE CITY OF GREENVILLE TWO PROPERTIES IN THE CITY OF GREENVILLE, ONE LOCATED AT THE CORNER OF NORTH CHURCH STREET AND EAST PARK AVENUE AND AN ADJACENT PROPERTY ON EAST PARK AVENUE, WHICH WERE PREVIOUSLY USED AS A STATE NATIONAL GUARD ARMORY.

**H. 5005--MOTION TO RECONSIDER TABLED**

Rep. SELLERS moved to reconsider the vote whereby the following Bill was read third time and sent to the Senate:

H. 5005 -- Reps. Bannister, Lowe, G. M. Smith, Weeks, Quinn, McEachern, Hamilton and Bedingfield: A BILL TO AMEND SECTION 5-31-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF MUNICIPALITIES IN REGARD TO MUNICIPAL UTILITIES INCLUDING A WATER SYSTEM, SO AS TO CLARIFY THAT A REFERENDUM AND FAVORABLE VOTE OF THE MUNICIPAL ELECTORATE IS NOT REQUIRED FOR THE SALE OF A WATER SYSTEM; AND BY ADDING SECTION 5-31-1315 SO AS TO PROVIDE THAT NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO MUNICIPALITY SHALL BE REQUIRED TO CONDUCT A REFERENDUM, AND OBTAIN A FAVORABLE VOTE THEREIN, PRIOR TO THE SALE OF A WATER SYSTEM.

Rep. K. R. CRAWFORD moved to table the motion to reconsider, which was agreed to.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 5044--REJECTED**

The following Bill was taken up:

H. 5044 -- Reps. Horne, Gilliard, Whipper, R. L. Brown, Mack and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-668 SO AS TO DESIGNATE SOUTH CAROLINA ARTIST JONATHAN GREEN AS THE OFFICIAL STATE ARTIST.

The yeas and nays were taken resulting as follows:

Yeas 28; Nays 67

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | G. A. Brown | Crosby |
| Daning | Delleney | George |
| Gilliard | Hayes | Hodges |
| Horne | Lucas | Mack |
| McCoy | Munnerlyn | Murphy |
| Norrell | Parks | Rivers |
| Robinson-Simpson | Rutherford | Sellers |
| Simrill | J. E. Smith | Stavrinakis |
| Whipper |  |  |

**Total--28**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Branham |
| Chumley | Clemmons | Cobb-Hunter |
| Cole | K. R. Crawford | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Goldfinch | Govan |
| Hamilton | Hardee | Henderson |
| Hiott | Hixon | Hosey |
| Howard | Huggins | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | McEachern |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Neal | Newton |
| Norman | R. L. Ott | Owens |
| Patrick | Pope | Putnam |
| Ryhal | Sandifer | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Wells | Whitmire |
| Wood |  |  |

**Total--67**

So, the Bill was rejected.

**H. 4840--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4840 -- Reps. Putnam, Owens, Stringer, Burns, Rivers, Bowen, Clyburn, Thayer, Wood, Wells, Dillard, Robinson-Simpson, R. L. Brown and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "HIGH SCHOOL EQUIVALENCY DIPLOMA ACCESSIBILITY ACT" BY ADDING SECTION 59-43-25 SO AS TO PROVIDE THAT BEFORE JANUARY 1, 2015, THE STATE BOARD OF EDUCATION SHALL SELECT A TEST OR TEST BATTERY THAT ELIGIBLE CANDIDATES SUCCESSFULLY MAY COMPLETE AS AN ALTERNATIVE TO THE GENERAL EDUCATION DEVELOPMENT TEST BATTERY TO RECEIVE A HIGH SCHOOL EQUIVALENCY DIPLOMA, THAT AN ESSENTIAL TRAIT OF THIS TEST OR TEST BATTERY MUST BE THAT IT ONLY MAY BE OFFERED IN A HANDWRITTEN, PAPER AND PEN OR PENCIL FORMAT AND MAY NOT BE DEPENDENT ON COMPUTER TECHNOLOGY FOR ITS ADMINISTRATION, TO REQUIRE THE BOARD SHALL AUTHORIZE THE ADMINISTRATION OF THIS TEST BY THE STATE DEPARTMENT OF EDUCATION PURSUANT TO CERTAIN REGULATIONS AND POLICIES, AND TO PROVIDE THE BOARD SHALL ISSUE HIGH SCHOOL EQUIVALENCY DIPLOMAS TO ELIGIBLE CANDIDATES WHO COMPLETE SUCCESSFULLY THE TEST OR TEST BATTERY AFTER JANUARY 1, 2015; AND TO AMEND SECTION 59-43-20, RELATING TO POWERS OF THE STATE BOARD OF EDUCATION WITH RESPECT TO BASIC ADULT AND SECONDARY EDUCATION, SO AS TO MAKE CONFORMING CHANGES.

Reps. OWENS and PATRICK proposed the following Amendment No. 2 to H. 4840 (Council\AGM\4840C002.AGM.AB14KRL), which was adopted:

Amend the bill, as and if amended, Section 59‑43‑25, as contained in SECTION 2, by deleting the section in its entirety and inserting:

/ “Section 59‑43‑25. Before January 1, 2015, the State Board of Education shall select one or more tests or test batteries that an eligible candidate successfully may complete to receive a high school equivalency diploma. The test batteries approved by the State Board must have demonstrated the appropriate rigor for a high school equivalency exam and must be valid and reliable for the purpose for which these test batteries are administered. The State Board shall select at least one test battery meeting this requirement that is available in paper and pencil form, if one is available. The approved test batteries that are available in paper and pencil (pen), as well as dependent on computer technology, must be available to eligible candidates in both forms. Upon making its selection, the board shall authorize the administration of this test by the State Department of Education under policies that the board shall establish by regulations promulgated by the board and other procedures that the board considers appropriate. The board shall issue a high school equivalency diploma to an eligible candidate who successfully completes the an approved test or test battery after January 1, 2015.” /

Renumber sections to conform.

Amend title to conform.

Rep. PATRICK explained the amendment.

The amendment was then adopted.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 4840 (COUNCIL\AGM\ 4840C001.AGM.AB14), which was tabled:

Amend the bill, as and if amended, Section 59‑43‑25, as contained in SECTION 2, by deleting the section in its entirety and inserting:

/ “Section 59‑43‑25. Before January 1, 2015, the State Board of Education shall select one or more tests or test batteries that an eligible candidate successfully may complete as an alternative to the General Education Development test battery to receive a high school equivalency diploma. An essential trait of this test or test battery is that it may be offered in a computer format, a handwritten, paper and pen, or paper and pencil format. Upon making its selection, the board shall authorize the administration of this test by the State Department of Education under policies that the board shall establish and other procedures that the board considers appropriate. The board shall issue a high school equivalency diploma to an eligible candidate who successfully completes an approved test or test battery after January 1, 2015.” /

Renumber sections to conform.

Amend title to conform.

Rep. PATRICK moved to table the amendment, which was agreed to.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | G. A. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Neal | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Sellers | Simrill | Skelton |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Stavrinakis |
| Stringer | Taylor | Thayer |
| Toole | Wells | Whipper |
| Whitmire | Williams | Wood |

**Total--102**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**SPEAKER IN CHAIR**

**H. 3532--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3532 -- Reps. White and Huggins: A BILL TO AMEND SECTION 63-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE REGULATION OF CHILDCARE FACILITIES, INCLUDING THE DEFINITION OF CHILDCARE FACILITIES, SO AS TO REVISE THE DAYTIME PROGRAMS AND DAY CAMPS TO WHICH THE DEFINITION DOES NOT APPLY; BY ADDING SECTION 63-13-220 SO AS TO PROHIBIT USE OF ABC VOUCHERS BY CERTAIN CHILDCARE PROVIDERS; AND TO MAKE TECHNICAL CORRECTIONS.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3532 (COUNCIL\AGM\3532C001. AGM.AB14), which was adopted:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 13, Title 63 of the 1976 Code is amended by adding:

“Section 63‑13‑220. The Citizen and Legislative Joint Committee on Children, in conjunction with the Governor’s Child Care Advisory Board, shall hold public hearings and collect data and research on child care regulations to include dealing with the four hour exemption and summer and recreational camps. They shall provide a report and recommendations to the House Education and Public Works Committee and the Senate Education committee before January 31, 2015.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. PATRICK explained the amendment.

The amendment was then adopted.

Reps. H. A. CRAWFORD and WHITE proposed the following Amendment No. 2 to H. 3532 (COUNCIL\DKA\3532C006. DKA.VR14), which was ruled out of order:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION \_\_. Section 63‑13‑80(A) of the 1976 Code is amended to read:

“(A) In exercising the powers of licensing, approving, renewing, revoking, or making provisional licenses and approvals, the department shall investigate and inspect licensees and approved operators and applicants for a license or an approval. The authorized representative of the department may visit a childcare center, ~~or~~ group childcare home, or family childcare home anytime during the hours of operation without prior notice once a year for purposes of investigations and inspections. In conducting investigations and inspections, the department may call on political subdivisions and governmental agencies for appropriate assistance within their authorized fields. The inspection of the health and fire safety of childcare centers and group childcare homes must be completed upon the request of the department by the appropriate agencies (i.e., Department of Health and Environmental Control, the Office of the State Fire Marshal, or local authorities). Inspection reports completed by state agencies and local authorities must be furnished to the department and become a part of its determination of conformity for licensing and approval. After careful consideration of the reports and consultation where necessary, the department shall assume responsibility for the final determination of licensing, approving, renewing, revoking, or making provisional licenses and approvals. However, upon receipt of a regulatory complaint, the department shall conduct an unannounced inspection of the facility to investigate the complaint. If the complaint is written, the department shall provide a copy to the director upon request.”

SECTION \_\_. Section 63‑13‑840 of the 1976 Code is amended to read:

“Section 63‑13‑840. ~~(A)~~ ~~The department shall visit the facility when concerns are expressed by the community regarding the health and safety of the children, child abuse, or enrollment beyond the limits set forth in this chapter.~~

~~(B) If the concern is in regard to the health and safety of the children, the department may call on other appropriate agencies (i.e., State Department of Health and Environmental Control, Office of the State Fire Marshal) as necessary to conduct an inspection.~~

~~(C)~~ If ~~the concern~~ a complaint received by the department concerning a family childcare home pursuant to Section 63‑13‑80 indicates that the child has been abused, the department shall carry out its responsibility as authorized under Chapter 7. ~~(D)~~ If the visits and inspections verify conditions detrimental to the health and safety of the children or overenrollment, the department shall carry out its responsibility as authorized by Section 63‑13‑160 and Section 63‑13‑830(C).

SECTION \_\_. Article 3, Chapter 13, Title 63 of the 1976 Code is amended by adding:

“Section 63‑13‑470. A regular license or regular approval issued by the department to the childcare center is valid for two years from the initial date of issuance, unless revoked by the department or voluntarily surrendered by the director; provided, however, that a change in location, ownership, or sponsorship of the facility automatically shall void the license or approval. After the center has been in business for two years, the renewal license is valid for three years from the date of issuance.”

SECTION \_\_. Section 63‑13‑830(E) of the 1976 Code is amended to read:

“(E) The department may withdraw the statement of registration if ~~one or more of the following apply:~~

~~(1)~~  ~~the health and safety of the children require withdrawal;~~

~~(2)~~  ~~the facility has enrolled children beyond the limits defined in this chapter;~~

~~(3)~~  the operator fails to comply with the registration procedures provided in this chapter.”

SECTION \_\_. Section 63‑13‑830 of the 1976 Code is amended by adding a new subsection to read:

“(F) If the department determines the health or safety of children placed in the facility is at risk or that the facility has enrolled children beyond the limits defined in this chapter, the department shall either withdraw the statement of registration or require the family childcare home to meet the requirements for licensure and regulation or group childcare homes pursuant to Article 3 of this chapter.”

SECTION \_\_. Section 63‑13‑850(A) of the 1976 Code is amended to read:

“(A) A registrant whose statement of registration has been withdrawn by the department or who is required to meet the requirements for licensure and regulation or group childcare homes pursuant to Section 63‑13‑830(F) must be given written notice by certified or registered mail. The notice must contain the reasons for the proposed action and must inform the registrant of the right to appeal the decision to the director or his designee in writing within thirty calendar days after the receipt of the notice. Upon receiving a written appeal the director or his designee shall give the registrant reasonable notice and an opportunity for a prompt hearing before the director or his designee. On the basis of the evidence adduced at the hearing, the director or his designee shall make the final decision of the department as to whether the statement of registration must be withdrawn or must meet the requirements for licensure and regulation of group childcare homes, as applicable. If no written appeal is made, the statement of registration must be withdrawn or the childcare center operator must comply with group childcare home licensure or regulations or regulatory requirements as of the termination of the thirty‑day period.”/

Renumber sections to conform.

Amend title to conform.

Rep. ERICKSON explained the amendment.

**POINT OF ORDER**

Rep. COBB-HUNTER raised the Point of Order that under Rule 9.3 Amendment No. 2 to H. 3532 was out of order in that it was not germane to the Bill.

Rep. ERICKSON spoke against the Point.

SPEAKER HARRELL sustained the Point of Order. The Speaker stated that H. 3532 had been previously amended by the adoption of Amendment No. 1. Amendment No. 1 was a strike all and insert amendment. Therefore the question was whether Amendment No. 2 was germane to the bill as previously amended by Amendment No. 1. The Speaker stated further that the bill, as amended, only dealt with a study committee and that Amendment No. 2 went beyond the scope of the bill, as amended, by giving directives to a state agency to perform specific activities. Therefore, he sustained the Point of Order and ruled the Amendment No. 2 to be non-germane.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowers | Branham |
| G. A. Brown | Burns | Chumley |
| Clemmons | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hixon |
| Hodges | Horne | Hosey |
| Howard | Jefferson | Kennedy |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Ridgeway | Riley | Rivers |
| Ryhal | Sandifer | Sellers |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | Whipper | Whitmire |
| Williams | Willis | Wood |

**Total--102**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3532. If I had been present, I would have voted in favor of the Bill.

Rep. William Clyburn

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**H. 4265--RECALLED FROM COMMITTEE ON JUDICIARY**

On motion of Rep. MCCOY, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary:

H. 4265 -- Reps. McCoy, Harrell and Merrill: A BILL TO AMEND SECTION 5-3-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURE FOR ANNEXATION OF SPECIAL PURPOSE DISTRICTS, SO AS TO PROVIDE FOR AN ADDITIONAL METHOD OF ANNEXATION BY RESOLUTION OF A SPECIAL PURPOSE DISTRICT WHEN A PREEXISTING MUNICIPALITY ANNEXES A MAJORITY OF THE POPULATION OF THE DISTRICT OR WHEN A MUNICIPALITY INCORPORATES A MAJORITY OF THE POPULATION OF A DISTRICT.

**H. 3561--DEBATE ADJOURNED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3561 -- Reps. White, Stavrinakis and Merrill: A BILL TO AMEND SECTION 12-36-920, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX ON ACCOMMODATIONS, SO AS TO DELETE CERTAIN ITEMS SUBJECT TO THE FIVE PERCENT TAX ON ADDITIONAL SURCHARGES.

Rep. WHITE moved to adjourn debate on the Senate Amendments, which was agreed to.

**H. 3124--DEBATE ADJOURNED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3124 -- Reps. Bingham, Taylor, Long and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

Rep. ALLISON moved to adjourn debate on the Senate Amendments, which was agreed to.

**H. 4259--DEBATE ADJOURNED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4259 -- Reps. Goldfinch and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-760 SO AS TO ENACT THE "SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT", TO PROVIDE THAT A PERSON WHO, WITH THE INTENT OF SECURING A TANGIBLE BENEFIT, KNOWINGLY AND FALSELY REPRESENTS HIMSELF TO HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES OR TO HAVE BEEN AWARDED A DECORATION, MEDAL, RIBBON, OR OTHER DEVICE AUTHORIZED BY CONGRESS OR PURSUANT TO FEDERAL LAW FOR THE ARMED FORCES OF THE UNITED STATES, IS GUILTY OF A MISDEMEANOR.

Rep. GOLDFINCH moved to adjourn debate on the Senate Amendments, which was agreed to.

**H. 3435--SENT TO THE SENATE**

The following Bill was taken up:

H. 3435 -- Reps. Skelton, Horne, J. E. Smith, Cobb-Hunter, K. R. Crawford and Knight: A BILL TO AMEND SECTION 59-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE COMPREHENSIVE HEALTH EDUCATION ACT, SO AS TO AMEND EXISTING DEFINITIONS; TO AMEND SECTION 59-32-20, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION PROVIDE AN INSTRUCTIONAL UNIT IN COMPREHENSIVE HEALTH EDUCATION TO LOCAL SCHOOL DISTRICTS, SO AS TO REQUIRE THIS UNIT BE PROVIDED BIENNIALLY; TO AMEND SECTION 59-32-30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT COMPREHENSIVE HEALTH EDUCATION PROGRAMS, SO AS TO PROVIDE REPRODUCTIVE HEALTH INSTRUCTION BE MEDICALLY ACCURATE IN ADDITION TO EXISTING REQUIREMENTS, TO CHANGE THE GRADE LEVELS IN WHICH THE INSTRUCTION MUST BE OFFERED, TO PROVIDE A DEFINITION, TO PROVIDE THAT IF A LOCAL SCHOOL BOARD DOES NOT REVIEW AND SELECT AN INSTRUCTIONAL UNIT IN COMPREHENSIVE HEALTH EDUCATION IN A CERTAIN MANNER, THEY MUST USE THE UNIT OFFERED BY THE STATE BOARD, AND TO DELETE THE REQUIREMENT THAT INSTRUCTION IN PREGNANCY PREVENTION EDUCATION BE PRESENTED SEPARATELY TO MALE AND FEMALE STUDENTS; TO AMEND SECTION 59-32-40, RELATING TO STAFF DEVELOPMENT, SO AS TO PROVIDE CERTIFICATION REQUIREMENTS FOR TEACHERS OF COMPREHENSIVE HEALTH EDUCATION AND REPRODUCTIVE HEALTH AND PREGNANCY PREVENTION INSTRUCTION; AND TO AMEND SECTION 59-32-60, RELATING TO THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION REPORT COMPLY WITH THE REQUIREMENTS OF THE ACT, SO AS TO REQUIRE EACH DISTRICT REPORT ITS COMPLIANCE IN A CERTAIN MANNER AND THAT THE DEPARTMENT SHALL COMPILE AND PROVIDE A SUMMARY OF THESE REPORTS TO SPECIFIC RECIPIENTS.

Rep. LOFTIS demanded the yeas and nays which were taken, resulting as follows:

Yeas 51; Nays 49

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Bowers | Branham |
| Clyburn | Cobb-Hunter | Cole |
| K. R. Crawford | Dillard | Douglas |
| Felder | Finlay | Funderburk |
| Gagnon | Gilliard | Govan |
| Hayes | Herbkersman | Hodges |
| Horne | Hosey | Howard |
| Jefferson | Knight | Long |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| Munnerlyn | Murphy | Neal |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Ridgeway | Robinson-Simpson | Rutherford |
| Sellers | Skelton | J. E. Smith |
| Stavrinakis | Whipper | Williams |

**Total--51**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Barfield | Bedingfield | Bingham |
| G. A. Brown | Burns | Chumley |
| Clemmons | H. A. Crawford | Crosby |
| Daning | Delleney | Edge |
| Erickson | Forrester | Goldfinch |
| Hamilton | Hardwick | Henderson |
| Huggins | Kennedy | Limehouse |
| Loftis | Lowe | Lucas |
| D. C. Moss | Nanney | Newton |
| Pitts | Pope | Riley |
| Rivers | Ryhal | Sandifer |
| Simrill | G. R. Smith | J. R. Smith |
| Sottile | Southard | Stringer |
| Taylor | Thayer | Toole |
| Wells | White | Whitmire |
| Wood |  |  |

**Total--49**

The Bill was read the third time and ordered sent to the Senate.

**SENT TO THE SENATE**

The following Bills were taken up, read the third time, and ordered sent to the Senate:

H. 4944 -- Rep. Skelton: A BILL TO AMEND SECTION 12-43-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MULTIPLE LOT DISCOUNT, SO AS TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER FIVE YEARS FOR A DEVELOPER, TO DELETE THE PROVISION THAT REMOVES THE DISCOUNTED VALUE AFTER ONE YEAR FOR A HOMEBUILDER, AND TO MAKE CONFORMING CHANGES.

H. 4632 -- Reps. Stavrinakis, Merrill, McCoy, Daning, Murphy and Harrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-103-22 SO AS TO DESIGNATE THE UNIVERSITY OF CHARLESTON, SOUTH CAROLINA, AS A RESEARCH INSTITUTION ELIGIBLE TO PARTICIPATE IN THE SOUTH CAROLINA RESEARCH CENTERS OF ECONOMIC EXCELLENCE, TO REQUIRE THE UNIVERSITY SHALL SUBMIT A CORRESPONDING MISSION STATEMENT TO THE COMMISSION ON HIGHER EDUCATION AND THAT THE COMMISSION SHALL APPROVE THE MISSION STATEMENT PURSUANT TO CERTAIN DEADLINES, TO PROVIDE THE UNIVERSITY SHALL NOT DUPLICATE ANY DEGREE PROGRAMS OFFERED IN THE CHARLESTON REGION, TO PROVIDE THAT THE COLLEGE OF CHARLESTON SHALL REMAIN A FOUR YEAR LIBERAL ARTS COLLEGE, AND TO PROVIDE THE UNIVERSITY OF CHARLESTON, SOUTH CAROLINA, AND THE COLLEGE OF CHARLESTON MUST EACH BE ESTABLISHED AS SEPARATE BUDGET SECTIONS IN THE ANNUAL APPROPRIATIONS BILL; AND TO AMEND SECTION 59-2-75, RELATING TO THE SOUTH CAROLINA RESEARCH CENTERS OF ECONOMIC EXCELLENCE ACT, SO AS TO ADD THE UNIVERSITY OF CHARLESTON, SOUTH CAROLINA, TO THE SENIOR RESEARCH UNIVERSITIES ELIGIBLE FOR CERTAIN INCENTIVES AND PROVIDED WITH CERTAIN POWERS RELATING TO RAISING CAPITAL FROM THE PRIVATE SECTOR TO FUND CERTAIN ENDOWMENTS RELATED TO RESEARCH, AMONG OTHER THINGS, AND TO PROVIDE THAT THE UNIVERSITY OF CHARLESTON, SOUTH CAROLINA, SHALL NOT DUPLICATE ANY DEGREE PROGRAMS OFFERED IN THE CHARLESTON REGION.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. CLYBURN.

Rep. K. R. CRAWFORD moved that the House recede until 2:00 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 2:00 p.m. the House resumed, Acting SPEAKER GAGNON in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**H. 4791--INTERRUPTED DEBATE**

The following Bill was taken up:

H. 4791 -- Reps. G. R. Smith, Rutherford, Bedingfield, Atwater, Putnam, Southard, Knight, Jefferson, Bowers, J. R. Smith, Hamilton, Bingham, McCoy, Willis, Quinn, Newton, Norrell, Bannister, Burns, Chumley, Delleney, Forrester, Harrell, Henderson, Hixon, Kennedy, Loftis, Lowe, Lucas, V. S. Moss, Owens, Pitts, Sandifer, Simrill, G. M. Smith, Stringer, White, Whitmire, Williams and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ELECTRONIC DATA PRIVACY PROTECTION ACT" BY ADDING CHAPTER 53 TO TITLE 23, SO AS TO PROVIDE THAT AN ENTITY MAY NOT SEARCH AN ELECTRONIC DEVICE WITHOUT A SEARCH WARRANT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE CERTAIN NOTICE REQUIREMENTS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4791 (COUNCIL\BH\4791C001.BH.DG14KRL):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ Section 1. Title 23 of the 1976 Code of Laws is amended by adding:

“CHAPTER 53

Electronic Data Privacy Protection Act

Section 23‑53‑10. This chapter may be cited as the ‘Electronic Data Privacy Protection Act’.

Section 23‑53‑20. The purpose of this chapter is to clarify requirements for searches of electronic messages, mobile devices incident to arrest, and obtaining geolocation information.

Section 23‑53‑30. As used this chapter, unless the context clearly indicates otherwise:

(1) ‘Electronic communication’ means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, photooptical system, or any other device that affects intrastate, interstate, or foreign commerce, but does not include:

(a) any wire or oral communication;

(b) any communication made through a tone‑only paging device; or

(c) any communication from an electronic or mechanical device, except a cell phone, which permits the tracking of the movement of a person or an object.

(2) ‘Electronic communication service’ means a service that provides to users the ability to send or receive wire or electronic communications.

(3) ‘Electronic device’ means a device that contains electronic data; or enables access to, or use of, an electronic communication service, remote computing service, or geolocation information service; or a radio‑frequency identification chip or other transponder.

(4) ‘Electronic storage’ means any storage of electronic data on a computer, computer network, or computer system, regardless of whether the data is subject to recall, further manipulation, deletion, or transmission, and includes any storage or electronic communication by an electronic communications service or a remote computing service, as well as temporary intermediate storage of electronic data or information incidental to the electronic transmission of electronic data or communication.

(5) ‘Electronic data’ means data or records that are in the possession, care, custody, or control of a provider of an electronic communications service, a remote computing service, or geolocation information service, that contains:

(a) information revealing the identity of the owner, operator, or subscriber of the applicable service, device, or program;

(b) information about the owner’s, operator’s, or subscriber’s use of the applicable service, device, or program;

(c) information that identifies the recipient or destination of an electronic communication sent to or by the owner, operator, or subscriber;

(d) the content of an electronic communication sent to or by the owner, operator, or subscriber; or

(e) any data, documents, files, or communications stored by or on behalf of the owner, operator, or subscriber with the applicable service provider or on the owner’s, operator’s, or subscriber’s electronic device.

(6) ‘Geolocation information’ means any information that is not the content of a communication concerning the location of an electronic device that, in whole or in part, is generated by or derived from the operation or tracking of that device and that could be used to determine or infer information regarding the location of the person, but does not include Internet protocol addresses.

(7) ‘Geolocation information service’ means the provision of a global positioning service or other mapping, locational, or directional information service to the public, or to such class of users as to be effectively available to the public, by or through the operation of any wireless communication device, including any electronic device, global positioning system receiving device, or other similar or successor device.

(8) ‘Governmental entity’ means the State or any of its political subdivisions, including school districts.

(9) ‘Remote computing service’ means, as defined in 18 U.S.C. Section 2711(2), the provision to the public of computer storage or processing services by means of an electronic communications system, as defined in 18 U.S.C. Section 2510(14).

(10) ‘Vulnerable adult’ means a person eighteen years of age or older who has a physical or mental condition which substantially impairs the person from adequately providing for his or her own care or protection. This includes a person who is impaired in the ability to adequately provide for the person’s own care or protection because of the infirmities of aging including, but not limited to, organic brain damage, advanced age, and physical, mental, or emotional dysfunction. A resident of an operated or contracted facility, as defined in Section 43‑35‑10, is a vulnerable adult.

Section 23‑53‑40. (A) Except as provided in this chapter or another provision of law a governmental entity may not conduct a search of an electronic device in the possession of an individual incident to a lawful custodial arrest without a valid search warrant issued by a duly authorized judge or justice using state warrant procedures or by order from a court of record except:

(1) with the consent of the owner, operator, or subscriber of the electronic device;

(2) in exigent circumstances that would cause a reasonable person to believe that a search is necessary to prevent physical harm to the officers or other persons, the destruction of evidence, or the escape of a suspect; or

(3) when the electronic device has been abandoned by the owner, operator, or subscriber.

(B) If an electronic device is searched pursuant to subsection (A)(2), the law enforcement agency shall notify a court of record of the search within two business days of the search being performed.

(C) A governmental entity may not obtain geolocation information revealing the past, present, or future location of an electronic device except:

(1) with a valid search warrant issued by a duly authorized judge or justice using state warrant procedures or by order from a court of record;

(2) with the consent of a parent or legal guardian of a minor, vulnerable adult, or person adjudicated to be mentally incompetent to whom the geolocation information pertains;

(3) when such geolocation information is accessed through a system that is configured so that such information is readily accessible to the general public; or

(4) when such geolocation information is accessed because of exigent circumstances that would cause a reasonable person to believe that a such information is necessary to prevent physical harm to the officers or other persons or the escape of a suspect; or

(5) to locate a stolen electronic device with the consent of the owner, operator, or subscriber of such device. (D) If a law enforcement agency obtains geolocation information pursuant to subsection (C)(4), the law enforcement agency shall notify a court of record of the information being obtained within two business days.

(E)(1) A search warrant, order from a court of record, or a subpoena may be issued for electronic data, including the contents of and records and other information related to electronic communication held in electronic storage, by a provider of an electronic communications service or a provider of a remote computing service regardless of whether the owner’s, operator’s, or subscriber’s data is held at a location in this State or at a location in another state.

(2) A search warrant, order from a court of record, or a subpoena issued pursuant to this chapter may be served only on a service provider that is a domestic entity or a company or entity otherwise doing business in the United States under a contract or terms of service agreement with a resident of the United States, if any part of that contract or agreement is to be performed in this State, and the service provider shall produce all information sought regardless of where the information is held and within the period allowed for by law for compliance with the warrant or the order from the court of record.

Section 23‑53‑50. Notice must be given to the owner or subscriber whose electronic device was searched or whose geolocation information or electronic data was obtained by a governmental entity unless the search, geolocation information or electronic data pertains to a suspect in an investigation or the identity of the owner or subscriber is not readily known. A law enforcement officer or prosecutor seeking electronic data pursuant to Section 23‑53‑40 may apply to a court of record for an order commanding the service provider to whom a warrant, subpoena, or court order is directed not to disclose to any person the existence of the warrant, subpoena, or court order. Also, a law enforcement entity shall not disclose the existence of the warrant, subpoena, or court order as ordered by the court. The order is effective for the period the court considers appropriate. The court shall enter the order if the court determines that there is reason to believe that notification of the existence of the warrant, subpoena, or court order will have an adverse result. For purposes of this section, an ‘adverse result’ means:

(1) endangering the life or physical safety of an individual;

(2) flight from prosecution;

(3) destruction of or tampering with evidence;

(4) intimidation of a potential witness; or

(5) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

Section 23‑53‑60. (A) Nothing in this chapter shall be interpreted to affect the rights and responsibilities of providers of an electronic communication service, geolocation information service, remote computing service, or a governmental entity conferred by 18 U.S.C. Section 2702 (a)‑(c), 47 U.S.C. Section 222, or a lawful exception to the warrant requirement.

(B) A provider of geolocation information service, electronic communication service, or remote computing services may divulge geolocation information pertaining to the owner, operator, or subscriber of such service to a governmental entity, if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of geolocation information relating to the emergency.

(C) No later than two business days after seeking disclosure of information pursuant to subsection (B), the governmental entity seeking to conduct the search or obtain the geolocation information shall file with the appropriate court a written statement setting forth the facts giving rise to the emergency and the facts as to why the information sought is believed to be important in addressing the emergency.

Section 23‑53‑70. No cause of action shall lie in any court of this State against any provider of an electronic communications service, remote computing service, or geolocation information service, or its officers, employees, agents, or other specified persons for providing information, facilities, or assistance in accordance with the terms of a warrant, order from a court of record or subpoena, or exception pursuant to this chapter.

Section 23‑53‑80. An original or certified copy of electronic data produced pursuant to a warrant or exception in accordance with this chapter shall be self‑authenticating and admissible into evidence as provided.

Section 23‑53‑90. The South Carolina Law Enforcement Division shall promulgate regulations pursuant to this chapter so as to provide uniform guidelines and training programs for law enforcement agencies that perform searches of electronic messages or mobile devices incident to arrest, and that obtain geolocation information. Law enforcement agencies that perform searches of electronic messages or mobile devices incident to arrest, and that obtain geolocation information shall use the regulations developed by the Criminal Justice Academy to provide written guidelines and to provide training programs for its officers and employees regarding the requirements for searches of electronic messages, mobile devices incident to arrest, and obtaining geolocation information.

Section 23‑53‑100. (A) Nothing in this chapter shall be interpreted or construed to pertain to the use of electronic monitoring devices that are pursuant to conditions of bond, home detention, probation, parole, being categorized as a sex offender, or any other court ordered or statutory mandate.

(B) Nothing in this chapter shall restrict or limit agents of the Department of Corrections, Department of Juvenile Justice, and Department of Probation, Parole and Pardon Services from the authority to conduct searches of electronic devices and receive electronic data from electronic communication services for offenders under supervision.

(C) The provisions of this chapter shall not apply to a government entity’s search of electronic devices determined to be contraband pursuant to Section 24‑3‑950.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH moved to adjourn debate on the amendment, which was agreed to.

Rep. SELLERS proposed the following Amendment No. 2 to H. 4791 (COUNCIL\BH\4791C002.BH.DG14):

Amend the bill, as and if amended, SECTION 1, by striking Section 23‑53‑50 and inserting:

/ Section 23‑53‑50. Notice must be given to the owner or subscriber whose electronic device was searched or whose geolocation information or electronic data was obtained by a governmental entity unless the search, geolocation information, or electronic data pertains to a suspect in an investigation or the identity of the owner or subscriber is not readily known. A law enforcement officer or prosecutor seeking electronic data pursuant to Section 23‑53‑40 may apply to a court of record for an order commanding the service provider to whom a warrant, subpoena, or court order is directed not to disclose to any person the existence of the warrant, subpoena, or court order. Also, a law enforcement entity shall not disclose the existence of the warrant, subpoena, or court order as ordered by the court. The order is effective for the period the court considers appropriate. The court shall enter the order if the court determines that there is reason to believe that notification of the existence of the warrant, subpoena, or court order will have an adverse result. For purposes of this section, an ‘adverse result’ means:

(1) endangering the life or physical safety of an individual;

(2) flight from prosecution;

(3) destruction of or tampering with evidence; or

(4) intimidation of a potential witness. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH moved to adjourn debate on the amendment, which was agreed to.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. RUTHERFORD proposed the following Amendment No. 3 to H. 4791 (COUNCIL\BH\4791C007.BH.DG14):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 1, Title 23 of the 1976 Code is amended by adding:

“Section 23‑1‑250. (A) Except as provided in another provision of law, absent the consent of the owner, a governmental entity may not, without a valid search warrant issued by a duly authorized judge or justice using state warrant procedures:

(1) conduct a search of a telecommunications device;

(2) confiscate a telecommunications device and retain it as evidence pending trial; or

(3) extract or otherwise download information from a telecommunications device unless:

(a) the police officer has probable cause to believe that the telecommunications device has been used in the commission of a crime;

(b) the information is extracted or otherwise downloaded under a valid search warrant; or

(c) the extraction or download is otherwise authorized by law.

(B) Except as proof of a violation of this section, information obtained in violation of this section is not admissible as evidence in a criminal, civil, administrative, or other proceeding.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH moved to adjourn debate on the amendment, which was agreed to.

Rep. G. R. SMITH proposed the following Amendment No. 4 to H. 4791 (COUNCIL\AGM\4791C001.AGM.DG14):

Amend the bill, as and if amended, SECTION 1, by striking Section 23‑53‑40 and Section 23‑53‑50 in their entirety, and inserting:

/ Section 23‑53‑40. (A) Except as provided in this chapter or another provision of law, a governmental entity may not conduct a search of an electronic device in the possession of an individual incident to a lawful custodial arrest without a valid search warrant issued by a duly authorized judge or justice using state warrant procedures except:

(1) with the consent of the owner, operator, or subscriber of the electronic device;

(2) in exigent circumstances that would cause a reasonable person to believe that a search is necessary to prevent physical harm to the officers or other persons, the destruction of evidence, or the escape of a suspect; or

(3) when the electronic device has been abandoned by the owner, operator, or subscriber.

(B) If an electronic device is searched pursuant to subsection (A)(2), the law enforcement agency shall notify a court of record of the search within two business days of the search being performed.

(C) A governmental entity may not obtain geolocation information revealing the past, present, or future location of an electronic device except:

(1) with a valid search warrant issued by a duly authorized judge or justice using state warrant procedures;

(2) with the consent of a parent or legal guardian of a minor, vulnerable adult, or person adjudicated to be mentally incompetent to whom the geolocation information pertains;

(3) when such geolocation information is accessed through a system that is configured so that such information is readily accessible to the general public; or

(4) when such geolocation information is accessed because of exigent circumstances that would cause a reasonable person to believe that a such information is necessary to prevent physical harm to the officers or other persons or the escape of a suspect;

(5) to locate a stolen electronic device with the consent of the owner, operator, or subscriber of such device; or

(6) in an emergency, if the geolocation information is used to respond to a request for assistance from the person to whom the information pertains.

(D) If a law enforcement agency obtains geolocation information pursuant to subsection (C)(4), the law enforcement agency shall notify a court of record of the information being obtained within two business days.

(E)(1) A search warrant, order from a court of record, or a subpoena may be issued for electronic data, including the contents of and records and other information related to electronic communication held in electronic storage, by a provider of an electronic communications service or a provider of a remote computing service regardless of whether the owner’s, operator’s, or subscriber’s data is held at a location in this State or at a location in another state.

(2) A search warrant, order from a court of record, or a subpoena issued pursuant to this chapter may be served only on a service provider that is a domestic entity or a company or entity otherwise doing business in the United States under a contract or terms of service agreement with a resident of the United States, if any part of that contract or agreement is to be performed in this State, and the service provider shall produce all information sought regardless of where the information is held and within the period allowed for by law for compliance with the warrant or the order from the court of record.

(F)(1) A governmental entity may not compel an electronic communication service or remote computing service to disclose the content of a user’s communications without a valid search warrant issued by a duly authorized judge or justice using state warrant procedures.

(2) Notwithstanding item (1), an electronic communication service or remote computing service may disclose the content of a user’s communications to a governmental entity:

(a) to an addressee or intended recipient of such communication or an agent of such addressee or intended recipient;

(b) with the lawful consent of the originator or an addressee or intended recipient of such communication, or the subscriber in the case of remote computing service;

(c) to a person employed or authorized or whose facilities are used to forward such communication to its destination;

(d) as may be necessarily incident to the rendition of the service or to the protection of the rights or property of the provider of that service;

(e) to the National Center for Missing and Exploited Children, in connection with a report submitted pursuant to 18 U.S.C. Section 2258A;

(f) to a law enforcement agency, if the contents:

(i) were inadvertently obtained by the service provider; and

(ii) appear to pertain to the commission of a crime; and

(g) to a governmental entity, if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of communications relating to the emergency. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

Rep. G. R. SMITH spoke in favor of the amendment.

Rep. K. R. CRAWFORD spoke in favor of the amendment.

**SPEAKER IN CHAIR**

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

Further proceedings were interrupted by the House recurring to the Morning Hour, the pending question being consideration of Amendment No. 4.

**RECURRENCE TO THE MORNING HOUR**

Rep. SKELTON moved that the House recur to the morning hour, which was agreed to.

**H. 4482--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., April 30, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4482:

H. 4482 -- Rep. Ridgeway: A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO STATE EMBLEMS, BY ADDING SECTION 1-1-712A, SO AS TO DESIGNATE THE COLUMBIAN MAMMOTH AS THE OFFICIAL STATE FOSSIL.

and asks for a Committee of Conference and has appointed Senators Bryant, Johnson and Turner to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. OWENS, HIXON and RIDGEWAY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**STATEMENT BY REP. WHITE**

Rep. WHITE made a statement relative to S.C. State University.

**REPORT OF STANDING COMMITTEE**

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 5150 -- Rep. Branham: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON EADDY FORD ROAD IN THE VOX COMMUNITY IN FLORENCE COUNTY "MARVIN D. STONE BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "MARVIN D. STONE BRIDGE".

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5183 -- Reps. Mitchell, King, Dillard, Cobb-Hunter, Gilliard, Sabb, Whipper, Anderson, Clyburn, Jefferson, M. S. McLeod, Alexander, R. L. Brown, Govan, Hart, Hodges, Hosey, Howard, Mack, McEachern, Neal, Parks, Robinson-Simpson, Rutherford, Sellers, Weeks and Williams: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE DECISIVE AND RESOLUTE ACTION OF NBA COMMISSIONER ADAM SILVER IN RESPONSE TO THE INHERENT CANCER OF OBVIOUS AND DESTRUCTIVE RACISM.

The House Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**HOUSE RESOLUTION**

The following was introduced:

H. 5184 -- Reps. Gilliard, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO DECLARE MAY 2014 AS "WATER SAFETY AWARENESS MONTH" AND TO ENCOURAGE PUBLIC SCHOOL DISTRICTS OF THIS STATE TO PROVIDE AT LEAST

ONE HOUR OF INSTRUCTION ON WATER SAFETY DURING THE MONTH OF MAY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5185 -- Reps. Quinn, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR PATSY RAUTON LIGHTLE OF LEXINGTON FOR THIRTY-FIVE YEARS OF OUTSTANDING SERVICE AS A STATE LAW ENFORCEMENT DIVISION (SLED) AGENT, CHILD AND VULNERABLE-ADULT ADVOCATE, AND PROFESSIONAL EDUCATOR, AND TO APPLAUD HER UNTIRING EFFORTS TO ENHANCE THE INVESTIGATION AND PROSECUTION OF ABUSE AND THE QUALITY AND SAFETY OF LIFE FOR OUR MOST VULNERABLE CITIZENS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1250 -- Senator Fair: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JAMES E. SLIGH, JR., OF THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, FOR THIRTY-TWO YEARS OF FAITHFUL SERVICE TO THE CITIZENS OF SOUTH CAROLINA, AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**STATEMENT FOR THE JOURNAL**

I have to leave the Chambers to attend a very important religious constituent function in Saluda at 5:00 p.m.

Rep. Ralph S. Kennedy, Jr.

**H. 5134--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5134 -- Rep. W. J. McLeod: A BILL TO AMEND ACT 485 OF 1998, RELATING TO THE ELECTION PROCEDURES APPLICABLE TO THE NEWBERRY COUNTY BOARD OF EDUCATION, SO AS TO AMEND THE FILING PERIOD DATES AND THE DATES THAT THE COUNTY ELECTION COMMISSION SHALL EXAMINE PETITIONS AND VERIFY SIGNATURES.

The yeas and nays were taken resulting as follows:

Yeas 83; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Bedingfield |
| Bernstein | Bowen | Bowers |
| Branham | G. A. Brown | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Gagnon |
| George | Gilliard | Goldfinch |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Knight | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | W. J. McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Patrick |
| Putnam | Ridgeway | Rivers |
| Robinson-Simpson | Sandifer | Simrill |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | White | Whitmire |
| Williams | Willis |  |

**Total--83**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 4392--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4392 -- Reps. Huggins, Ballentine and Owens: A BILL TO AMEND SECTION 56-1-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SPECIAL RESTRICTED DRIVERS' LICENSES TO CERTAIN MINORS, SO AS TO PROVIDE THAT THE RESTRICTIONS PLACED ON A HOLDER OF THIS LICENSE MAY BE WAIVED OR MODIFIED TO ALLOW THE LICENSE HOLDER TO TRAVEL BETWEEN HIS HOME AND A CHURCH-RELATED OR SPONSORED ACTIVITY.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 4392 (COUNCIL\AGM\4392C002. AGM.AHB14), which was adopted:

Amend the bill, as and if amended, by deleting Section 56‑1‑180(C), as contained in SECTION 1, and inserting:

/ (C) The waiver or modification of restrictions provided for in ~~item (1)~~ subsection (B)(1) must include a statement of the purpose of the waiver or modification executed by the parents or legal guardian of the holder of the restricted license and documents executed by the driver’s ~~employment~~ employer, ~~or~~ school official, or church representative, as is appropriate, evidencing the holder’s need for the waiver or modification. The waiver or modification of restrictions is applicable only for travel within the State of South Carolina.” /

Renumber sections to conform.

Amend title to conform.

Rep. HUGGINS explained the amendment.

The amendment was then adopted.

Rep. K. R. CRAWFORD proposed the following Amendment No. 2 to H. 4392 (COUNCIL\NBD\4392C002.NBD.AC14), which was adopted:

Amend the bill, as and if amended, by deleting Section 56‑1‑180(B)(1)(b) on page 1, lines 38 through 40 and inserting:

/ (b) travel between the licensee’s home and place of employment, ~~or~~ school, church‑related or sponsored activities, and sports activities approved by the licensee’s parent; or /

Amend the bill further, Section 56‑1‑180(C) on page 4392‑1 by deleting line 32 and inserting:

/ church representative, or adult sports official, as is appropriate, evidencing the holder’s /

Renumber sections to conform.

Amend title to conform.

Rep. K. R. CRAWFORD explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bedingfield | Bingham | Bowen |
| Bowers | Branham | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Gagnon |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Neal | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--105**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4914--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4914 -- Reps. Henderson, K. R. Crawford, Atwater, Spires, Gagnon, Lowe, Ridgeway and Thayer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-97 SO AS TO AUTHORIZE CERTAIN SCHOOL PERSONNEL TO ADMINISTER MIDAZOLAM INTRANASALLY TO STUDENTS WITH A SEIZURE CONDITION; AND TO PROVIDE FOR IMMUNITY FROM LIABILITY WITH REGARD TO ADMINISTRATION OF MIDAZOLAM.

Rep. PATRICK explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bedingfield | Bernstein | Bingham |
| Bowen | Bowers | G. A. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Finlay | Forrester | Gagnon |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--105**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 4914. If I had been present, I would have voted in favor of the Bill.

Rep. Chip Limehouse

**H. 4061--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4061 -- Reps. Norrell, King, Cobb-Hunter, Douglas, Bowen, M. S. McLeod, Knight, Munnerlyn, Bernstein, Sabb, Jefferson, Williams, Neal, Gilliard, Howard, Skelton, Spires, Bowers, Anderson, G. A. Brown, Gagnon, George, Hayes, Hosey and Ridgeway: A BILL TO AMEND SECTION 59-32-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SELECT OR DEVELOP INSTRUCTIONAL UNITS IN COMPREHENSIVE HEALTH EDUCATION FOR USE BY SCHOOL DISTRICTS, SO AS TO REQUIRE THE BOARD TO ALSO SELECT OR DEVELOP INSTRUCTIONAL UNITS IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION, WITH SEPARATE UNITS APPROPRIATE FOR EACH AGE LEVEL FROM FOUR-YEAR OLD KINDERGARTEN THROUGH TWELFTH GRADE; AND TO AMEND SECTION 59-32-30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, AMONG OTHER THINGS, SO AS TO REQUIRE THE DISTRICTS TO PROVIDE AGE-APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION AS PART OF THIS PROGRAM.

Rep. PATRICK explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bedingfield | Bernstein | Bingham |
| Bowen | Bowers | G. A. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Gagnon | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Knight | Limehouse | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--99**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Loftis |  |  |

**Total--1**

So, the Bill was read the second time and ordered to third reading.

**H. 3904--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3904 -- Reps. Daning, Crosby, Merrill, Simrill and Lucas: A BILL TO AMEND SECTION 56-3-2340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES ALLOWING LICENSED MOTOR VEHICLE DEALERS TO ISSUE FIRST TIME MOTOR VEHICLE REGISTRATION AND LICENSE TAGS DIRECTLY FROM THEIR DEALERSHIPS, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT THE DEPARTMENT MAY CERTIFY THIRD-PARTY PROVIDERS TO PROCESS TITLE, LICENSE PLATES, TEMPORARY LICENSE PLATES, AND VEHICLE REGISTRATION TRANSACTIONS ON BEHALF OF THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT AND THIRD-PARTY PROVIDERS MAY COLLECT TRANSACTION FEES FROM ENTITIES WHO TRANSMIT OR RETRIEVE CERTAIN DATA FROM THE DEPARTMENT; AND TO AMEND SECTION 56-19-265, AS AMENDED, RELATING TO LIENS RECORDED AGAINST MOTOR VEHICLES AND MOBILE HOMES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT LIEN RECORDINGS MAYBE ELECTRONICALLY TRANSMITTED TO THE DEPARTMENT, TO PROVIDE THAT THE OWNERS OF MOTOR VEHICLES OR MOBILE HOMES MAY RETAIN THE ELECTRONIC COPY OF THE VEHICLE'S TITLE WITH THE DEPARTMENT ONCE ALL LIENS ARE SATISFIED, AND TO PROVIDE THAT THE DEPARTMENT MAY CONVENE A WORKING GROUP TO DEVELOP PROGRAM SPECIFICATIONS RELATING TO GOVERNING THE TRANSMISSION OF ELECTRONIC LIEN INFORMATION.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3904 (COUNCIL\SWB\3904C001. SWB.CM14), which was tabled:

Amend the bill, as and if amended, Section 56‑3‑2340 (B), as contained in SECTION 1, page 2, by deleting lines 23 through 29, and inserting:

/ (B) The department may certify third‑party providers to process title, temporary license plate as provided in Section 56‑3‑210, license plate, and vehicle registration transactions on behalf of the department. The department shall develop program standards and specifications that would be required for certification. Third parties requesting certification must agree to the program terms, conditions, standards, and specifications in order to participate. /

Amend the bill further, Section 56‑3‑2340(D), as contained in SECTION 1, page 2, by deleting lines 37 through 39, and inserting:

/ (D) Third party providers or dealers that process title and registration transactions on behalf of the department may charge a fee in excess of the fee charged by the department.” /

Renumber sections to conform.

Amend title to conform.

Rep. DANING moved to table the amendment, which was agreed to.

Rep. OWENS proposed the following Amendment No. 2 to H. 3904 (COUNCIL\DKA\3904C002.DKA.VR14), which was adopted:

Amend the bill, as and if amended, Section 56‑3‑2340(B), (C), and (D), SECTION 1, by deleting the subsections in their entirety and inserting:

/ (B) The department may certify third‑party providers to process title, temporary license plate as provided in Section 56‑3‑210, license plate, and vehicle registration transactions on behalf of the department. The department shall develop program standards and specifications that would be required for certification. Third parties requesting certification must agree to the program terms, conditions, standards, and specifications in order to participate.

(C) The department is authorized to collect a transaction fee from entities who either transmit or retrieve data from the department pursuant to this section. The fee must not exceed the fee authorized in Section 56‑19‑265(B) for each transaction. These fees must be placed by the State Treasurer into a special restricted account to be used by the department to pay for the development and maintenance of the program.

(D) Third party providers or dealers that process title and registration transactions on behalf of the department may charge a fee in excess of the fee charged by the department. /

Amend further, Section 56‑19‑265~~(B)~~(D), SECTION 2, by striking the subsection and inserting:

/ ~~(B)~~(D) The department is authorized to collect a transaction fee from commercial ~~parties~~ entities who either transmit or retrieve data from the department pursuant to this section. The fee must not exceed five dollars for each transaction and must be ~~mutually~~ agreed to as part of the program specifications developed by ~~all parties~~ the working group. These fees must be placed by the ~~Comptroller General~~ State Treasurer into a special restricted account to be used by the department to defray the expenses of this program. /

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

The amendment was then adopted.

Rep. DANING proposed the following Amendment No. 3 to H. 3904 (COUNCIL\AGM\3904C001.AGM.AB14), which was adopted:

Amend the bill, as and if amended, Section 56‑3‑2340(D), as contained in SECTION 1, by deleting the subsection in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bedingfield | Bernstein | Bingham |
| Bowen | Bowers | G. A. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Neal | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| Skelton | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--106**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4579--INTERRUPTED DEBATE**

The following Bill was taken up:

H. 4579 -- Rep. Loftis: A BILL TO AMEND SECTION 27-2-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE AND DIRECT THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY APPEAL THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT IN A DE NOVO HEARING, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

Rep. LOFTIS explained the Bill.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being consideration of the Bill.

**RECURRENCE TO THE MORNING HOUR**

Rep. LOFTIS moved that the House recur to the morning hour, which was agreed to.

**H. 3198--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., April 30, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3198:

H. 3198 -- Reps. J. E. Smith, M. S. McLeod, Bernstein, Ballentine and Finlay: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-27-115 SO AS TO PLACE THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS UNDER THE GENERAL SUPERVISION OF THE STATE ELECTION COMMISSION, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH BY REGULATION THE MINIMUM QUALIFICATIONS FOR A PERSON TO SERVE AS THE DIRECTOR OF A COUNTY BOARD OF REGISTRATION AND ELECTIONS, TO AUTHORIZE THE STATE ELECTION COMMISSION TO ESTABLISH MANDATORY TRAINING CERTIFICATION AND CONTINUING EDUCATION REQUIREMENTS FOR THE DIRECTORS OF THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS, AND TO REQUIRE COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO MEET AT LEAST FOUR TIMES EACH CALENDAR YEAR; TO AMEND SECTION 7-27-110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

and asks for a Committee of Conference and has appointed Senators Peeler, Campsen and Scott to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. CLEMMONS, J. E. SMITH and BALLENTINE to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5186 -- Rep. Howard: A CONCURRENT RESOLUTION TO COMMEND THE BOYS & GIRLS CLUBS OF SOUTH CAROLINA FOR THEIR WONDERFUL EFFORTS IN HELPING SOUTH CAROLINA'S YOUTH PREPARE FOR A PRODUCTIVE LIFE AND TO RECOGNIZE THE EIGHT YOUNG PEOPLE FROM DIFFERENT BOYS & GIRLS CLUBS THROUGHOUT THE STATE WHO HAVE BEEN NAMED 2014 YOUTH OF THE YEAR BY THE SOUTH CAROLINA ALLIANCE OF BOYS & GIRLS CLUBS.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were introduced, read the first time, and referred to appropriate committees:

S. 897 -- Senator Coleman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-723 SO AS TO PROVIDE THAT A PERSON WHO RETIRES FROM A SOLICITOR'S OFFICE MAY PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS REGARDLESS OF WHETHER THE COUNTY IN WHICH HE IS EMPLOYED AT THE TIME OF HIS RETIREMENT PARTICIPATES IN THESE PLANS, AMONG OTHER THINGS, AND TO MAKE THESE PROVISIONS RETROACTIVE TO JANUARY 1, 2012.

Referred to Committee on Ways and Means

S. 988 -- Senator Cromer: A BILL TO AMEND SECTION 27-2-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE AND DIRECT THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY APPEAL THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT IN A DE NOVO HEARING, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

Referred to Committee on Judiciary

S. 1189 -- Senators Gregory, Reese, McElveen, Hembree, Hutto, Lourie, Campsen, Cleary, Allen, Shealy, O'Dell, Campbell, Cromer, Hayes, Verdin, Sheheen, L. Martin, Kimpson, Scott and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ADD CHAPTER 39 TO TITLE 58, SO AS TO PROVIDE FOR A SOUTH CAROLINA DISTRIBUTED ENERGY RESOURCE PROGRAM, TO DEFINE CERTAIN TERMS, TO SET GOALS FOR THE PROGRAM, AND TO PROVIDE FOR THE PROCESS AND IMPLEMENTATION OF THE PROGRAM, INCLUDING THE APPLICATION AND APPROVAL PROCESS FOR THE PROGRAM AND COST RECOVERY; TO ADD CHAPTER 40 TO TITLE 58 SO AS TO PROVIDE FOR A NET ENERGY METERING PROGRAM, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR THE REQUIREMENTS FOR THE NET ENERGY METERING PROGRAM, INCLUDING COSTS AND THE RESPONSIBILITIES OF THE PUBLIC SERVICE COMMISSION AND THE OFFICE OF REGULATORY STAFF PURSUANT TO THIS PROGRAM; TO ADD ARTICLE 23 TO CHAPTER 27, TITLE 58, SO AS TO PROVIDE FOR THE LEASE OF RENEWABLE ELECTRIC GENERATION FACILITIES PROGRAM, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR THE REQUIREMENTS OF THE LEASE PROGRAM, INCLUDING AN APPLICATION PROCESS AND REGISTRATION WITH THE OFFICE OF REGULATORY STAFF AND PENALTIES FOR VIOLATIONS OF THE LEASE PROGRAM; TO REQUIRE THE OFFICE OF REGULATORY STAFF TO REPORT TO THE PUBLIC SERVICE COMMISSION ON COSTS AND CHARGES ATTRIBUTABLE TO DISTRIBUTED ENERGY RESOURCES WITHIN CURRENT COSTS OF SERVICE RATE MAKING METHODOLOGIES; TO REQUIRE THE PUBLIC SERVICE COMMISSION TO PROMULGATE STANDARDS FOR RENEWABLE ENERGY FACILITY INTERCONNECTION; TO REQUIRE EACH DISTRIBUTION ELECTRIC COOPERATIVE BOARD TO CONSIDER NET ENERGY METERING POLICIES AND MAKE A REPORT TO THE OFFICE OF REGULATORY STAFF; TO REQUIRE EACH ELECTRIC COOPERATIVE TO INVESTIGATE THE RELATIONSHIP BETWEEN COSTS AND CHARGES ATTRIBUTABLE TO DISTRIBUTED ENERGY RESOURCES WITHIN CURRENT COST OF SERVICE RATEMAKING METHODOLOGIES AND REPORT ITS FINDINGS WITH THE OFFICE OF REGULATORY STAFF.

Referred to Committee on Labor, Commerce and Industry

S. 1207 -- Medical Affairs Committee: A BILL TO AMEND SECTION 24-21-440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODS OF PROBATION, SO AS TO TOLL THE PERIOD DURING PERIODS OF CIVIL COMMITMENT; TO AMEND SECTION 24-21-560, AS AMENDED, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO TOLL THE COMMUNITY SUPERVISION PERIOD DURING PERIODS OF CIVIL COMMITMENT; AND TO AMEND SECTION 24-21-670, RELATING TO PERIODS OF PAROLE, SO AS TO TOLL THE PAROLE PERIOD DURING PERIODS OF CIVIL COMMITMENT.

Referred to Committee on Judiciary

S. 1233 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO ANNUITY MORTALITY TABLES FOR USE IN DETERMINING RESERVE LIABILITIES FOR ANNUITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4453, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Labor, Commerce and Industry

**H. 4579--DEBATE ADJOURNED**

Debate was resumed on the following Bill, the pending question being the consideration of the Bill:

H. 4579 -- Rep. Loftis: A BILL TO AMEND SECTION 27-2-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE AND DIRECT THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY APPEAL THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT IN A DE NOVO HEARING, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

Rep. LOFTIS spoke in favor of the Bill.

Rep. QUINN moved to adjourn debate on the Bill until Thursday, May 1, which was agreed to.

**H. 4996--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Wednesday, May 14, which was adopted:

H. 4996 -- Reps. Brannon and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-277 SO AS TO REQUIRE ACCIDENT AND HEALTH INSURANCE POLICIES AND HEALTH MAINTENANCE ORGANIZATIONS TO COVER CERTAIN AMINO ACID-BASED ELEMENTAL FORMULAS FOR THE TREATMENT OF CERTAIN DISEASES OR DISORDERS, TO PROHIBIT DENIAL OF THIS COVERAGE FOR TREATMENT ORDERED AS MEDICALLY NECESSARY BY A TREATING PHYSICIAN, AND TO PROVIDE THIS COVERAGE MUST BE FAVORABLE FOR PRESCRIPTION DRUGS AND SERVICES COVERED BY THE PLAN.

**H. 4742--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4742 -- Reps. G. M. Smith, Weeks, Bannister, Delleney, Lucas and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29-1-60 SO AS TO PROHIBIT FILING A FALSE LIEN OR ENCUMBRANCE IN CERTAIN PUBLIC RECORDS AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER, A PUBLIC EMPLOYEE, OR AN IMMEDIATE FAMILY MEMBER OF THE PUBLIC OFFICER OR PUBLIC EMPLOYEE FOR THE PERFORMANCE OF THE OFFICIAL DUTIES OF THE PUBLIC OFFICER OR PUBLIC EMPLOYEE WHEN THE PARTY FILING THE LIEN KNOWS OR HAS REASON TO KNOW THAT THE LIEN OR ENCUMBRANCE IS FALSE OR CONTAINS A MATERIALLY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; TO PROVIDE A VIOLATION CONSTITUTES A FELONY AND TO PROVIDE RELATED PENALTIES; TO DEFINE NECESSARY TERMINOLOGY; TO PROVIDE A REGISTER OF DEEDS OR CLERK OF COURT MAY REFUSE TO FILE A LIEN OR ENCUMBRANCE WHEN HE HAS A REASONABLE SUSPICION THAT THE LIEN OR ENCUMBRANCE IS FALSE, TO LIMIT HIS LIABILITY FOR THIS REFUSAL, TO PROVIDE CIRCUMSTANCES WHEN A COURT MAY ORDER THE FILING, AND TO PROVIDE EXCEPTIONS FROM THE PROVISIONS OF THIS SECTION, AMONG OTHER THINGS.

Rep. G. M. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| Skelton | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--110**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 4399--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4399 -- Rep. Cobb-Hunter: A BILL TO AMEND SECTION 61-6-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN ALCOHOL PERMITS IN THE PROXIMITY OF SCHOOLS, PLAYGROUNDS, AND CHURCHES, SO AS TO ALLOW THE ISSUANCE OF A LICENSE FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IF ALL PLAYGROUNDS AND CHURCHES IN THE PROXIMITY AFFIRMATIVELY STATE THAT THEY DO NOT OBJECT TO THE ISSUANCE.

Rep. COBB-HUNTER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 73; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Ballentine | Bernstein | Bowen |
| Bowers | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | K. R. Crawford |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Finlay |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Herbkersman | Hixon |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Knight |
| Limehouse | Long | Lowe |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Mitchell |
| V. S. Moss | Munnerlyn | Murphy |
| Neal | Newton | Norrell |
| R. L. Ott | Parks | Patrick |
| Pitts | Ridgeway | Rutherford |
| Ryhal | Sabb | Sandifer |
| Skelton | J. E. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Tallon | Thayer | Vick |
| Weeks | Whipper | White |
| Williams |  |  |

**Total--73**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Barfield |
| Bedingfield | Bingham | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | Crosby | Daning |
| Forrester | Hamilton | Henderson |
| Hiott | Loftis | Lucas |
| D. C. Moss | Nanney | Norman |
| Owens | Pope | Putnam |
| Quinn | Riley | Rivers |
| Robinson-Simpson | Simrill | G. M. Smith |
| J. R. Smith | Stringer | Taylor |
| Toole | Wells | Whitmire |
| Willis | Wood |  |

**Total--38**

So, the Bill was read the second time and ordered to third reading.

**H. 5031--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5031 -- Reps. Dillard, Robinson-Simpson, G. R. Smith, Burns, Bannister, Bedingfield, Hamilton, Loftis, Nanney and Stringer: A BILL TO AMEND SECTION 5-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT BEFORE A MUNICIPALITY MAY ADOPT AN ORDINANCE CHANGING THE METHOD OF NOMINATING CANDIDATES, THE MUNICIPALITY MUST ADOPT AN ORDINANCE REQUIRING AN ADVISORY REFERENDUM ON THE PROPOSED CHANGE, AND A MAJORITY OF THE QUALIFIED ELECTORS VOTING IN THE ADVISORY REFERENDUM MUST APPROVE THE PROPOSED CHANGE.

Rep. DILLARD explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 9

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clyburn |
| Cobb-Hunter | Cole | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| George | Gilliard | Hamilton |
| Hardee | Hardwick | Harrell |
| Hart | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Knight |
| Limehouse | Loftis | Long |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | Whitmire | Wood |

**Total--99**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Clemmons | H. A. Crawford | K. R. Crawford |
| Gagnon | Goldfinch | Lowe |
| Norman | Pitts | Simrill |

**Total--9**

So, the Bill was read the second time and ordered to third reading.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. NANNEY a leave of absence for the remainder of the day due to a family commitment.

**S. 1194--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 1194 -- Senator Hayes: A JOINT RESOLUTION TO ALLOW CERTAIN SCHOOL DISTRICTS TO USE SUMMER READING PROGRAM FUNDS TO PARTNER WITH THE STATE DEPARTMENT OF EDUCATION'S SUMMER READING LOSS PREVENTION PROJECT TO PROVIDE BOOKS TO CERTAIN STUDENTS OVER THE SUMMER, AND TO ALLOW PARTNERING SCHOOL DISTRICTS TO CARRY FORWARD UNEXPENDED FUNDS FOR SUMMER READING CAMP PROGRAMS.

Rep. BINGHAM explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Hayes |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Rutherford | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Williams | Willis | Wood |

**Total--108**

Those who voted in the negative are:

**Total--0**

So, the Joint Resolution was read the second time and ordered to third reading.

**S. 1214--DEBATE ADJOURNED**

Rep. ALLISON moved to adjourn debate upon the following Bill until Tuesday, May 6, which was adopted:

S. 1214 -- Senators S. Martin, Peeler, Reese, Bright and Corbin: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CHANGE THE NAMES OF FOUR PRECINCTS.

**H. 5126--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 5126 -- Reps. Tallon, Allison, Patrick, Burns, Atwater, Bannister, Chumley, Erickson, Forrester, Gagnon, Hardee, Loftis, D. C. Moss, Norrell and Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-13-180 SO AS TO PROVIDE THAT ANY PUBLIC, PRIVATE, OR NONPROFIT ENTITY WHICH IS ENGAGED IN HELPING TO REHABILITATE AND REINTRODUCE PAROLED PRISON INMATES INTO THE COMMUNITY AND WHICH AS A PART OF ITS PROGRAM PROVIDES RESIDENTIAL HOUSING IN THE COMMUNITY TO THESE PAROLEES MUST PROVIDE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COMMUNITY OF THE ADDRESSES WHERE THESE RESIDENTIAL HOUSING FACILITIES WILL BE LOCATED, AND ALSO MUST CONDUCT A PUBLIC HEARING REGARDING THE PROGRAM AND THE LOCATION OF THESE RESIDENTIAL HOUSING FACILITIES IN THE COMMUNITY WHERE THEY WILL BE LOCATED.

Rep. TALLON explained the Bill.

Reps. VICK, K. R. CRAWFORD, DANING, HERBKERSMAN, TALLON, PUTNAM, PITTS, WILLIS, M. S. MCLEOD, HART, MCEACHERN, SOUTHARD, DOUGLAS, R. L. BROWN, ALLISON, GILLIARD, MACK, LOFTIS, HARDWICK, BEDINGFIELD, HAMILTON, ROBINSON-SIMPSON, DILLARD, KNIGHT and CROSBY requested debate on the Bill.

**RECURRENCE TO THE MORNING HOUR**

Rep. BALES moved that the House recur to the morning hour, which was agreed to.

**H. 4612--POINT OF ORDER**

The following Bill was taken up:

H. 4612 -- Reps. Bales and Whipper: A BILL TO AMEND SECTION 56-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICABILITY OF THE STATE'S UNIFORM TRAFFIC LAWS UPON THE STATE'S POLITICAL SUBDIVISIONS, SO AS TO PROVIDE THAT A POLITICAL SUBDIVISION OF THE STATE THAT ENACTS AN ORDINANCE, RULE, OR REGULATION THAT IMPOSES A FINE FOR AN OFFENSE THAT EXCEEDS THE FINE IMPOSED BY A SIMILAR OFFENSE CONTAINED IN THIS CHAPTER MAY NOT COLLECT AN AMOUNT THAT EXCEEDS THE MAXIMUM FINE CONTAINED IN THE SIMILAR OFFENSE CONTAINED IN THIS CHAPTER.

Rep. RIDGEWAY proposed the following Amendment No. 2 to H. 4612 (COUNCIL\NBD\4612C003.NBD.AC14):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑35. (A) A political subdivision, county, or municipality may not impose a fine for a violation of a local traffic ordinance, rule, or regulation that exceeds one hundred fifty percent of the maximum fine that may be imposed in this chapter for a traffic violation, the elements of which are the same, or substantially the same, as the local traffic violation. If however, the political subdivision, county, or municipality collects a fine that exceeds one hundred fifty percent of the amount of the maximum fine allowed for that violation in this chapter, the political subdivision, county, or municipality shall remit to the State Treasurer to be credited to the state general fund the amount of excess fine collected.

(B) This section does not preclude a political subdivision, county, or municipality from charging and collecting a court cost, assessment, or surcharge in connection with a local traffic violation.”

SECTION 2. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. RIDGEWAY explained the amendment.

**POINT OF ORDER**

Rep. MERRILL made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. SPIRES a leave of absence for the remainder of the day.

**H. 4346--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4346 -- Reps. Forrester and Allison: A BILL TO AMEND SECTION 63-7-1230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMMEDIATE ENTRY OF, AMONG OTHERS, FOSTER PARENTS IN THE CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT, SO AS TO REQUIRE THE DEPARTMENT TO FILE A PETITION WITH THE COURT BEFORE DOING SO; TO ESTABLISH REQUIREMENTS FOR FILING A PETITION WITH THE COURT PURSUANT TO SECTION 63-7-1230 AND FOR PROVIDING NOTICE OF, SCHEDULING, AND HOLDING A HEARING; TO EXEMPT PETITIONS FILED PURSUANT TO SECTION 63-7-1230 FROM THE REQUIREMENTS OF SECTION 63-7-1620 AND TO CHANGE REQUIREMENTS REGARDING PARTY STATUS OF THE CHILD AND PARENTS OF THE CHILD IN CERTAIN CIRCUMSTANCES; TO ESTABLISH REQUIREMENTS BEFORE A COURT MAY ORDER A PERSON TO BE ENTERED IN THE CENTRAL REGISTRY PURSUANT TO SECTION 63-7-1230, TO PROHIBIT PARTIES FOR WAIVING PLACEMENT IN THE REGISTRY AND TO ALLOW THE DEPARTMENT TO PETITION THE COURT FOR IMMEDIATE RELIEF IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 63-7-1410, RELATING TO THE ADMINISTRATIVE APPEAL OF INDICATED CASES OF CHILD ABUSE OR NEGLECT IN CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE AN APPEAL PROCESS FOR, AMONG OTHERS, FOSTER PARENTS FOR CASES INDICATED PURSUANT TO SECTION 63-7-1230; AND TO AMEND SECTION 63-7-1430, RELATING TO NOTICE AND OPPORTUNITY TO BE HEARD IN AN ADMINISTRATIVE APPEAL OF AN INDICATED FINDING OF ABUSE OR NEGLECT, SO AS TO ELIMINATE REFERENCE TO ADMINISTRATIVE APPEALS OF CASES IN WHICH THERE HAS BEEN IMMEDIATE ENTRY OF, AMONG OTHERS, A FOSTER PARENT INTO THE CENTRAL REGISTRY.

Rep. FORRESTER proposed the following Amendment No. 1 to H. 4346 (COUNCIL\AGM\4346C001.AGM.AB14), which was adopted:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. (A) In order to better protect South Carolina’s children and to strengthen South Carolina’s foster care program, the Foster Care Study Committee is hereby created to review the current procedures for foster children, foster parents, and the Central Registry of child Abuse and Neglect, all contained in Subarticles 7 and 9 of chapter 7, Title 63.

(B)(1) The study committee must be composed of three members of the Senate, with one appointed by the President *Pro Tempore* of the Senate and two appointed by the chairman of the Senate Judiciary Committee, and three members of the House of Representatives, with one appointed by the Speaker of the House of Representatives and two appointed by the chairman of the House Judiciary Committee.

(2) Vacancies in the study committee’s membership must be filled for the remainder of the unexpired term in the manner of original appointment.

(3) A member of the study committee shall serve without compensation or per diem, but may receive mileage if paid by the entity that appointed the member.

(C) The Chairmen of the Senate and House Judiciary Committees shall provide appropriate staffing for the study committee.

(D) The study committee shall make a report of the study committee’s recommendations to the General Assembly January 1, 2015, at which time the study committee must be dissolved.

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. FORRESTER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Hart | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Newton |
| Norman | Norrell | R. L. Ott |
| Parks | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Willis | Wood |  |

**Total--104**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**S. 1180--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Tuesday, May 6, which was adopted:

S. 1180 -- Senator Hayes: A BILL TO AMEND SECTION 7-7-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VOTING PRECINCTS IN YORK COUNTY, SO AS TO DELETE FOUR PRECINCTS AND ADD TEN NEW VOTING PRECINCTS AND TO DESIGNATE THE MAP ON WHICH THE BOUNDARIES OF YORK COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND.

**H. 5159--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5159 -- Rep. Delleney: A BILL TO AMEND SECTION 7-7-170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN CHESTER COUNTY, SO AS TO CONSOLIDATE CERTAIN PRECINCTS, AND TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Hart | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Newton | Norman | Norrell |
| R. L. Ott | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--100**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 5108--RECALLED FROM ANDERSON DELEGATION**

On motion of Rep. BOWEN, with unanimous consent, the following Bill was ordered recalled from the Anderson Delegation:

H. 5108 -- Reps. White and Gambrell: A BILL TO THE ENACT "ANDERSON COUNTY SCHOOL DISTRICTS PROPERTY TAX RELIEF ACT" SO AS TO AUTHORIZE THE IMPOSITION, FOLLOWING REFERENDUM APPROVAL, OF A SALES AND USE TAX OF ONE PERCENT IN ANDERSON COUNTY FOR NOT MORE THAN FIFTEEN YEARS WITH AT LEAST TWENTY PERCENT OF THE REVENUES USED TO PAY DEBT SERVICE ON EXISTING GENERAL OBLIGATION BONDS ISSUED FOR SCHOOL CONSTRUCTION AND RENOVATION AND THE REMAINDER USED TO PAY DEBT SERVICE ON SCHOOL DISTRICT GENERAL OBLIGATION BONDS OR FOR DIRECT PAYMENT, OR BOTH SUCH FINANCING METHODS, FOR SCHOOL CONSTRUCTION AND RENOVATION, TO INSTALL, MAINTAIN, AND IMPROVE SECURITY AND PUBLIC SAFETY MEASURES, TO PROVIDE TECHNOLOGY HARDWARE AND SOFTWARE IN THE ANDERSON COUNTY SCHOOL DISTRICTS, TO PROVIDE A CAREER AND TECHNICAL EDUCATION FACILITY FOR ANDERSON COUNTY SCHOOL DISTRICTS THREE, FOUR, AND FIVE, TO PROVIDE CAPITAL IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO, ROOFS, STADIUMS, AND FIELDS IN ANDERSON COUNTY SCHOOL DISTRICTS, AND TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THE TAX.

**S. 1172--RECALLED AND REFERRED TO COMMITTEE ON MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

On motion of Rep. OWENS, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works and was referred to the Committee on Medical, Military, Public and Municipal Affairs:

S. 1172 -- Senators Nicholson, Hayes, Turner, Sheheen, L. Martin, McGill, Alexander, O'Dell, Johnson, Scott and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60-15-75 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF CRITERIA AND GUIDELINES FOR STATE-DESIGNATED CULTURAL DISTRICTS BY THE SOUTH CAROLINA ARTS COMMISSION, TO STATE THE INTENDED PURPOSE OF THE CULTURAL DISTRICTS, AND TO PROVIDE RELATED POWERS AND DUTIES OF THE COMMISSION WITH RESPECT TO THE CULTURAL DISTRICTS.

**H. 5125--RECALLED AND REFERRED TO COMMITTEE ON INVITATIONS AND MEMORIAL RESOLUTIONS**

On motion of Rep. OWENS, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works and was referred to the Committee on Invitations and Memorial Resolutions:

H. 5125 -- Rep. King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-1-200 SO AS TO DESIGNATE THE GEOGRAPHIC AREA COMPOSED OF CHESTER, LANCASTER, AND YORK COUNTIES AS THE CATAWBA REGION OF SOUTH CAROLINA.

**H. 4775--RECALLED FROM ANDERSON DELEGATION**

On motion of Rep. WHITE, with unanimous consent, the following Bill was ordered recalled from the Anderson Delegation:

H. 4775 -- Reps. Gambrell, Bowen, Gagnon, Putnam, Thayer and White: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE BOARDS OF TRUSTEES OF THE SCHOOL DISTRICTS OF ANDERSON COUNTY BY DELETING PROVISIONS ALTERING THE MEMBERSHIP OF DISTRICT BOARDS BASED ON DISTRICT ENROLLMENT AND TO DELETE PROVISIONS RELATING TO THE ROLE OF THE ANDERSON COUNTY BOARD OF EDUCATION IN REDISTRICTING SINGLE-MEMBER DISTRICTS.

**H. 3561--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3561 -- Reps. White, Stavrinakis and Merrill: A BILL TO AMEND SECTION 12-36-920, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX ON ACCOMMODATIONS, SO AS TO DELETE CERTAIN ITEMS SUBJECT TO THE FIVE PERCENT TAX ON ADDITIONAL SURCHARGES.

Rep. STAVRINAKIS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardwick |
| Harrell | Hart | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Knight |
| Limehouse | Loftis | Long |
| Lowe | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Stavrinakis | Stringer |
| Tallon | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--108**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 3124--DEBATE ADJOURNED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3124 -- Reps. Bingham, Taylor, Long and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

Rep. DELLENEY moved to adjourn debate upon the Senate Amendments until Thursday, May 1, which was agreed to.

**H. 4259--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4259 -- Reps. Goldfinch and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-760 SO AS TO ENACT THE "SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT", TO PROVIDE THAT A PERSON WHO, WITH THE INTENT OF SECURING A TANGIBLE BENEFIT, KNOWINGLY AND FALSELY REPRESENTS HIMSELF TO HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES OR TO HAVE BEEN AWARDED A DECORATION, MEDAL, RIBBON, OR OTHER DEVICE AUTHORIZED BY CONGRESS OR PURSUANT TO FEDERAL LAW FOR THE ARMED FORCES OF THE UNITED STATES, IS GUILTY OF A MISDEMEANOR.

Rep. GOLDFINCH explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Douglas |
| Edge | Erickson | Finlay |
| Forrester | Funderburk | Gagnon |
| George | Goldfinch | Hamilton |
| Hardwick | Harrell | Hart |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Knight | Limehouse | Loftis |
| Long | Lowe | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Newton | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Stavrinakis | Stringer |
| Tallon | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--99**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. LIMEHOUSE.

**H. 4791--AMENDED AND ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 4:

H. 4791 -- Reps. G. R. Smith, Rutherford, Bedingfield, Atwater, Putnam, Southard, Knight, Jefferson, Bowers, J. R. Smith, Hamilton, Bingham, McCoy, Willis, Quinn, Newton, Norrell, Bannister, Burns, Chumley, Delleney, Forrester, Harrell, Henderson, Hixon, Kennedy, Loftis, Lowe, Lucas, V. S. Moss, Owens, Pitts, Sandifer, Simrill, G. M. Smith, Stringer, White, Whitmire, Williams and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ELECTRONIC DATA PRIVACY PROTECTION ACT" BY ADDING CHAPTER 53 TO TITLE 23, SO AS TO PROVIDE THAT AN ENTITY MAY NOT SEARCH AN ELECTRONIC DEVICE WITHOUT A SEARCH WARRANT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE CERTAIN NOTICE REQUIREMENTS.

Rep. G. R. SMITH proposed the following Amendment No. 4 to H. 4791 (COUNCIL\AGM\4791C001.AGM.DG14), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 23‑53‑40 and Section 23‑53‑50 in their entirety, and inserting:

/ Section 23‑53‑40. (A) Except as provided in this chapter or another provision of law, a governmental entity may not conduct a search of an electronic device in the possession of an individual incident to a lawful custodial arrest without a valid search warrant issued by a duly authorized judge or justice using state warrant procedures except:

(1) with the consent of the owner, operator, or subscriber of the electronic device;

(2) in exigent circumstances that would cause a reasonable person to believe that a search is necessary to prevent physical harm to the officers or other persons, the destruction of evidence, or the escape of a suspect; or

(3) when the electronic device has been abandoned by the owner, operator, or subscriber.

(B) If an electronic device is searched pursuant to subsection (A)(2), the law enforcement agency shall notify a court of record of the search within two business days of the search being performed.

(C) A governmental entity may not obtain geolocation information revealing the past, present, or future location of an electronic device except:

(1) with a valid search warrant issued by a duly authorized judge or justice using state warrant procedures;

(2) with the consent of a parent or legal guardian of a minor, vulnerable adult, or person adjudicated to be mentally incompetent to whom the geolocation information pertains;

(3) when such geolocation information is accessed through a system that is configured so that such information is readily accessible to the general public; or

(4) when such geolocation information is accessed because of exigent circumstances that would cause a reasonable person to believe that a such information is necessary to prevent physical harm to the officers or other persons or the escape of a suspect;

(5) to locate a stolen electronic device with the consent of the owner, operator, or subscriber of such device; or

(6) in an emergency, if the geolocation information is used to respond to a request for assistance from the person to whom the information pertains.

(D) If a law enforcement agency obtains geolocation information pursuant to subsection (C)(4), the law enforcement agency shall notify a court of record of the information being obtained within two business days.

(E)(1) A search warrant, order from a court of record, or a subpoena may be issued for electronic data, including the contents of and records and other information related to electronic communication held in electronic storage, by a provider of an electronic communications service or a provider of a remote computing service regardless of whether the owner’s, operator’s, or subscriber’s data is held at a location in this State or at a location in another state.

(2) A search warrant, order from a court of record, or a subpoena issued pursuant to this chapter may be served only on a service provider that is a domestic entity or a company or entity otherwise doing business in the United States under a contract or terms of service agreement with a resident of the United States, if any part of that contract or agreement is to be performed in this State, and the service provider shall produce all information sought regardless of where the information is held and within the period allowed for by law for compliance with the warrant or the order from the court of record.

(F)(1) A governmental entity may not compel an electronic communication service or remote computing service to disclose the content of a user’s communications without a valid search warrant issued by a duly authorized judge or justice using state warrant procedures.

(2) Notwithstanding item (1), an electronic communication service or remote computing service may disclose the content of a user’s communications to a governmental entity:

(a) to an addressee or intended recipient of such communication or an agent of such addressee or intended recipient;

(b) with the lawful consent of the originator or an addressee or intended recipient of such communication, or the subscriber in the case of remote computing service;

(c) to a person employed or authorized or whose facilities are used to forward such communication to its destination;

(d) as may be necessarily incident to the rendition of the service or to the protection of the rights or property of the provider of that service;

(e) to the National Center for Missing and Exploited Children, in connection with a report submitted pursuant to 18 U.S.C. Section 2258A;

(f) to a law enforcement agency, if the contents:

(i) were inadvertently obtained by the service provider; and

(ii) appear to pertain to the commission of a crime; and

(g) to a governmental entity, if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of communications relating to the emergency. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH moved to table the amendment, which was agreed to.

Rep. G. R. SMITH moved to reconsider the vote whereby debate was adjourned on Amendment 1, which was agreed to.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4791 (COUNCIL\BH\4791C001.BH.DG14), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Title 23 of the 1976 Code is amended by adding:

“CHAPTER 53

Electronic Data Privacy Protection Act

Section 23‑53‑10. This chapter may be cited as the ‘Electronic Data Privacy Protection Act’.

Section 23‑53‑20. The purpose of this chapter is to clarify requirements for searches of electronic messages, mobile devices incident to arrest, and obtaining geolocation information.

Section 23‑53‑30. As used this chapter, unless the context clearly indicates otherwise:

(1) ‘Electronic communication’ means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, photooptical system, or any other device that affects intrastate, interstate, or foreign commerce, but does not include:

(a) any wire or oral communication;

(b) any communication made through a tone‑only paging device; or

(c) any communication from an electronic or mechanical device, except a cell phone, which permits the tracking of the movement of a person or an object.

(2) ‘Electronic communication service’ means a service that provides to users the ability to send or receive wire or electronic communications.

(3) ‘Electronic device’ means a device that contains electronic data; or enables access to, or use of, an electronic communication service, remote computing service, or geolocation information service; or a radio‑frequency identification chip or other transponder.

(4) ‘Electronic storage’ means any storage of electronic data on a computer, computer network, or computer system, regardless of whether the data is subject to recall, further manipulation, deletion, or transmission, and includes any storage or electronic communication by an electronic communications service or a remote computing service, as well as temporary intermediate storage of electronic data or information incidental to the electronic transmission of electronic data or communication.

(5) ‘Electronic data’ means data or records that are in the possession, care, custody, or control of a provider of an electronic communications service, a remote computing service, or geolocation information service, that contains:

(a) information revealing the identity of the owner, operator, or subscriber of the applicable service, device, or program;

(b) information about the owner’s, operator’s, or subscriber’s use of the applicable service, device, or program;

(c) information that identifies the recipient or destination of an electronic communication sent to or by the owner, operator, or subscriber;

(d) the content of an electronic communication sent to or by the owner, operator, or subscriber; or

(e) any data, documents, files, or communications stored by or on behalf of the owner, operator, or subscriber with the applicable service provider or on the owner’s, operator’s, or subscriber’s electronic device.

(6) ‘Geolocation information’ means any information that is not the content of a communication concerning the location of an electronic device that, in whole or in part, is generated by or derived from the operation or tracking of that device and that could be used to determine or infer information regarding the location of the person, but does not include Internet protocol addresses.

(7) ‘Geolocation information service’ means the provision of a global positioning service or other mapping, locational, or directional information service to the public, or to such class of users as to be effectively available to the public, by or through the operation of any wireless communication device, including any electronic device, global positioning system receiving device, or other similar or successor device.

(8) ‘Governmental entity’ means the State or any of its political subdivisions, including school districts.

(9) ‘Remote computing service’ means, as defined in 18 U.S.C. Section 2711(2), the provision to the public of computer storage or processing services by means of an electronic communications system, as defined in 18 U.S.C. Section 2510(14).

(10) ‘Vulnerable adult’ means a person eighteen years of age or older who has a physical or mental condition which substantially impairs the person from adequately providing for his or her own care or protection. This includes a person who is impaired in the ability to adequately provide for the person’s own care or protection because of the infirmities of aging including, but not limited to, organic brain damage, advanced age, and physical, mental, or emotional dysfunction. A resident of an operated or contracted facility, as defined in Section 43‑35‑10, is a vulnerable adult.

Section 23‑53‑40. (A) Except as provided in this chapter or another provision of law a governmental entity may not conduct a search of an electronic device in the possession of an individual incident to a lawful custodial arrest without a valid search warrant issued by a duly authorized judge or justice using state warrant procedures or by order from a court of record except:

(1) with the consent of the owner, operator, or subscriber of the electronic device;

(2) in exigent circumstances that would cause a reasonable person to believe that a search is necessary to prevent physical harm to the officers or other persons, the destruction of evidence, or the escape of a suspect; or

(3) when the electronic device has been abandoned by the owner, operator, or subscriber.

(B) If an electronic device is searched pursuant to subsection (A)(2), the law enforcement agency shall notify a court of record of the search within two business days of the search being performed.

(C) A governmental entity may not obtain geolocation information revealing the past, present, or future location of an electronic device except:

(1) with a valid search warrant issued by a duly authorized judge or justice using state warrant procedures or by order from a court of record;

(2) with the consent of a parent or legal guardian of a minor, vulnerable adult, or person adjudicated to be mentally incompetent to whom the geolocation information pertains;

(3) when such geolocation information is accessed through a system that is configured so that such information is readily accessible to the general public; or

(4) when such geolocation information is accessed because of exigent circumstances that would cause a reasonable person to believe that a such information is necessary to prevent physical harm to the officers or other persons or the escape of a suspect; or

(5) to locate a stolen electronic device with the consent of the owner, operator, or subscriber of such device. (D) If a law enforcement agency obtains geolocation information pursuant to subsection (C)(4), the law enforcement agency shall notify a court of record of the information being obtained within two business days.

(E)(1) A search warrant, order from a court of record, or a subpoena may be issued for electronic data, including the contents of and records and other information related to electronic communication held in electronic storage, by a provider of an electronic communications service or a provider of a remote computing service regardless of whether the owner’s, operator’s, or subscriber’s data is held at a location in this State or at a location in another state.

(2) A search warrant, order from a court of record, or a subpoena issued pursuant to this chapter may be served only on a service provider that is a domestic entity or a company or entity otherwise doing business in the United States under a contract or terms of service agreement with a resident of the United States, if any part of that contract or agreement is to be performed in this State, and the service provider shall produce all information sought regardless of where the information is held and within the period allowed for by law for compliance with the warrant or the order from the court of record.

Section 23‑53‑50. Notice must be given to the owner or subscriber whose electronic device was searched or whose geolocation information or electronic data was obtained by a governmental entity unless the search, geolocation information or electronic data pertains to a suspect in an investigation or the identity of the owner or subscriber is not readily known. A law enforcement officer or prosecutor seeking electronic data pursuant to Section 23‑53‑40 may apply to a court of record for an order commanding the service provider to whom a warrant, subpoena, or court order is directed not to disclose to any person the existence of the warrant, subpoena, or court order. Also, a law enforcement entity shall not disclose the existence of the warrant, subpoena, or court order as ordered by the court. The order is effective for the period the court considers appropriate. The court shall enter the order if the court determines that there is reason to believe that notification of the existence of the warrant, subpoena, or court order will have an adverse result. For purposes of this section, an ‘adverse result’ means:

(1) endangering the life or physical safety of an individual;

(2) flight from prosecution;

(3) destruction of or tampering with evidence;

(4) intimidation of a potential witness; or

(5) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

Section 23‑53‑60. (A) Nothing in this chapter shall be interpreted to affect the rights and responsibilities of providers of an electronic communication service, geolocation information service, remote computing service, or a governmental entity conferred by 18 U.S.C. Section 2702 (a)‑(c), 47 U.S.C. Section 222, or a lawful exception to the warrant requirement.

(B) A provider of geolocation information service, electronic communication service, or remote computing services may divulge geolocation information pertaining to the owner, operator, or subscriber of such service to a governmental entity, if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of geolocation information relating to the emergency.

(C) No later than two business days after seeking disclosure of information pursuant to subsection (B), the governmental entity seeking to conduct the search or obtain the geolocation information shall file with the appropriate court a written statement setting forth the facts giving rise to the emergency and the facts as to why the information sought is believed to be important in addressing the emergency.

Section 23‑53‑70. No cause of action shall lie in any court of this State against any provider of an electronic communications service, remote computing service, or geolocation information service, or its officers, employees, agents, or other specified persons for providing information, facilities, or assistance in accordance with the terms of a warrant, order from a court of record or subpoena, or exception pursuant to this chapter.

Section 23‑53‑80. An original or certified copy of electronic data produced pursuant to a warrant or exception in accordance with this chapter shall be self‑authenticating and admissible into evidence as provided.

Section 23‑53‑90. The South Carolina Law Enforcement Division shall promulgate regulations pursuant to this chapter so as to provide uniform guidelines and training programs for law enforcement agencies that perform searches of electronic messages or mobile devices incident to arrest, and that obtain geolocation information. Law enforcement agencies that perform searches of electronic messages or mobile devices incident to arrest, and that obtain geolocation information shall use the regulations developed by the Criminal Justice Academy to provide written guidelines and to provide training programs for its officers and employees regarding the requirements for searches of electronic messages, mobile devices incident to arrest, and obtaining geolocation information.

Section 23‑53‑100. (A) Nothing in this chapter shall be interpreted or construed to pertain to the use of electronic monitoring devices that are pursuant to conditions of bond, home detention, probation, parole, being categorized as a sex offender, or any other court ordered or statutory mandate.

(B) Nothing in this chapter shall restrict or limit agents of the Department of Corrections, Department of Juvenile Justice, and Department of Probation, Parole and Pardon Services from the authority to conduct searches of electronic devices and receive electronic data from electronic communication services for offenders under supervision.

(C) The provisions of this chapter shall not apply to a government entity’s search of electronic devices determined to be contraband pursuant to Section 24‑3‑950.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

Rep. SKELTON spoke against the amendment.

Rep. G. R. SMITH spoke in favor of the amendment.

The amendment was then adopted.

Reps. SELLERS proposed the following Amendment No. 2 to H. 4791 (COUNCIL\BH\4791C002.BH.DG14), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 23‑53‑50 and inserting:

/ Section 23‑53‑50. Notice must be given to the owner or subscriber whose electronic device was searched or whose geolocation information or electronic data was obtained by a governmental entity unless the search, geolocation information, or electronic data pertains to a suspect in an investigation or the identity of the owner or subscriber is not readily known. A law enforcement officer or prosecutor seeking electronic data pursuant to Section 23‑53‑40 may apply to a court of record for an order commanding the service provider to whom a warrant, subpoena, or court order is directed not to disclose to any person the existence of the warrant, subpoena, or court order. Also, a law enforcement entity shall not disclose the existence of the warrant, subpoena, or court order as ordered by the court. The order is effective for the period the court considers appropriate. The court shall enter the order if the court determines that there is reason to believe that notification of the existence of the warrant, subpoena, or court order will have an adverse result. For purposes of this section, an ‘adverse result’ means:

(1) endangering the life or physical safety of an individual;

(2) flight from prosecution;

(3) destruction of or tampering with evidence; or

(4) intimidation of a potential witness. /

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS moved to table the amendment, which was agreed to.

Rep. RUTHERFORD proposed the following Amendment No. 3 to H. 4791 (COUNCIL\BH\4791C007.BH.DG14), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 1, Title 23 of the 1976 Code is amended by adding:

“Section 23‑1‑250. (A) Except as provided in another provision of law, absent the consent of the owner, a governmental entity may not, without a valid search warrant issued by a duly authorized judge or justice using state warrant procedures:

(1) conduct a search of a telecommunications device;

(2) confiscate a telecommunications device and retain it as evidence pending trial; or

(3) extract or otherwise download information from a telecommunications device unless:

(a) the police officer has probable cause to believe that the telecommunications device has been used in the commission of a crime;

(b) the information is extracted or otherwise downloaded under a valid search warrant; or

(c) the extraction or download is otherwise authorized by law.

(B) Except as proof of a violation of this section, information obtained in violation of this section is not admissible as evidence in a criminal, civil, administrative, or other proceeding.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD moved to table the amendment, which was agreed to.

Rep. RUTHERFORD proposed the following Amendment No. 5 to H. 4791 (COUNCIL\AGM\4791C002.AGM.DG14), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 23‑53‑40(a) and inserting:

/ Section 23‑53‑40. (A) Except as provided in this chapter or another provision of law, a governmental entity may not conduct a search of an electronic device in the possession of an individual incident to a lawful custodial arrest without a valid search warrant issued by a duly authorized judge or justice using state warrant procedures except in exigent circumstances that would cause a reasonable person to believe that a search is necessary to prevent physical harm to the officers or other persons, the destruction of evidence, or the escape of a suspect. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. G. R. SMITH proposed the following Amendment No. 6 to H. 4791 (COUNCIL\BBM\4791C001.BBM.DG14), which was adopted:

Amend the bill, as and if amended, by striking Section 23‑53‑40 and Section 23‑53‑50 in their entirety, and inserting:

/ Section 23‑53‑40. (A) Except as provided in this chapter or another provision of law, a governmental entity may not conduct a search of an electronic device in the possession of an individual incident to a lawful custodial arrest without a valid search warrant or court order issued by a duly authorized judge or justice using state warrant procedures and based upon probable cause or without a court order issued by a duly authorized judge or justice based upon probable cause, except:

(1) with the consent of the owner, operator, or subscriber of the electronic device;

(2) in exigent circumstances that would cause a reasonable person to believe that a search is necessary to prevent physical harm to the officers or other persons, the destruction of evidence, or the escape of a suspect; or

(3) when the electronic device has been abandoned by the owner, operator, or subscriber.

(B) If an electronic device is searched pursuant to subsection (A)(2), the law enforcement agency shall notify a court of record of the search within two business days of the search being performed.

(C) A governmental entity may not obtain geolocation information revealing the past, present, or future location of an electronic device except:

(1) with a valid search warrant or court order issued by a duly authorized judge or justice using state warrant procedures and based upon probable cause or with a court order issued by a duly authorized judge or justice based upon probable cause;

(2) with the consent of a parent or legal guardian of a minor, vulnerable adult, or person adjudicated to be mentally incompetent to whom the geolocation information pertains;

(3) when such geolocation information is accessed through a system that is configured so that such information is readily accessible to the general public; or

(4) when such geolocation information is accessed because of exigent circumstances that would cause a reasonable person to believe that a such information is necessary to prevent physical harm to the officers or other persons or the escape of a suspect;

(5) to locate a stolen electronic device with the consent of the owner, operator, or subscriber of such device; or

(6) in an emergency, if the geolocation information is used to respond to a request for assistance from the person to whom the information pertains.

(D) If a law enforcement agency obtains geolocation information pursuant to subsection (C)(4), the law enforcement agency shall notify a court of record of the information being obtained within two business days, unless the court orders otherwise.

(E)(1) A search warrant, order from a court of record, or a subpoena may be issued for electronic data, including the contents of and records and other information related to electronic communication held in electronic storage, by a provider of an electronic communications service or a provider of a remote computing service regardless of whether the owner’s, operator’s, or subscriber’s data is held at a location in this State or at a location in another state.

(2) A search warrant, order from a court of record, or a subpoena issued pursuant to this chapter may be served only on a service provider that is a domestic entity or a company or entity otherwise doing business in the United States under a contract or terms of service agreement with a resident of the United States, if any part of that contract or agreement is to be performed in this State, and the service provider shall produce all information sought regardless of where the information is held and within the period allowed for by law for compliance with the warrant or the order from the court of record.

(F)(1) A governmental entity may not compel an electronic communication service or remote computing service to disclose the content of a user’s communications without a valid search warrant or court order issued by a duly authorized judge or justice using state warrant procedures and based upon probable cause or without a court order issued by a duly authorized judge or justice based upon probable cause.

(2) Notwithstanding item (1), an electronic communication service or remote computing service may disclose the content of a user’s communications to a governmental entity:

(a) to an addressee or intended recipient of such communication or an agent of such addressee or intended recipient;

(b) with the lawful consent of the originator or an addressee or intended recipient of such communication, or the subscriber in the case of remote computing service;

(c) to a person employed or authorized or whose facilities are used to forward such communication to its destination;

(d) as may be necessarily incident to the rendition of the service or to the protection of the rights or property of the provider of that service;

(e) to the National Center for Missing and Exploited Children, in connection with a report submitted pursuant to 18 U.S.C. Section 2258A;

(f) to a law enforcement agency, if the contents:

(i) were inadvertently obtained by the service provider; and

(ii) appear to pertain to the commission of a crime; and

(g) to a governmental entity, if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of communications relating to the emergency. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 89; Nays 17

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Ballentine | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cole | H. A. Crawford |
| K. R. Crawford | Delleney | Douglas |
| Edge | Erickson | Finlay |
| Forrester | Funderburk | Gagnon |
| Gilliard | Goldfinch | Hamilton |
| Hardwick | Harrell | Hart |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Munnerlyn | Murphy | Newton |
| Norman | Parks | Patrick |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Rutherford | Ryhal |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Southard |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--89**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bales | Barfield | Branham |
| Crosby | Daning | George |
| Hayes | Knight | D. C. Moss |
| R. L. Ott | Owens | Robinson-Simpson |
| Sabb | Sandifer | Skelton |
| Sottile | Weeks |  |

**Total--17**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4791--MOTION TO RECONSIDER TABLED**

Rep. G. R. SMITH moved to reconsider the vote whereby the following Bill was read second time:

H. 4791 -- Reps. G. R. Smith, Rutherford, Bedingfield, Atwater, Putnam, Southard, Knight, Jefferson, Bowers, J. R. Smith, Hamilton, Bingham, McCoy, Willis, Quinn, Newton, Norrell, Bannister, Burns, Chumley, Delleney, Forrester, Harrell, Henderson, Hixon, Kennedy, Loftis, Lowe, Lucas, V. S. Moss, Owens, Pitts, Sandifer, Simrill, G. M. Smith, Stringer, White, Whitmire, Williams and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ELECTRONIC DATA PRIVACY PROTECTION ACT" BY ADDING CHAPTER 53 TO TITLE 23, SO AS TO PROVIDE THAT AN ENTITY MAY NOT SEARCH AN ELECTRONIC DEVICE WITHOUT A SEARCH WARRANT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE CERTAIN NOTICE REQUIREMENTS.

Rep. G. R. SMITH moved to table the motion to reconsider, which was agreed to.

**H. 4665--COMMITTED**

The following Bill was taken up:

H. 4665 -- Reps. H. A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-185 SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A MINOR CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, TO REQUIRE CHILDCARE FACILITIES TO MAINTAIN RECORDS THAT DOCUMENT RECEIPT OF PARENTAL PERMISSION, AND TO PROVIDE CRIMINAL PENALTIES.

Rep. DELLENEY moved to commit the Bill to the Committee on Judiciary, which was agreed to.

**H. 4805--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4805 -- Reps. Clemmons and J. E. Smith: A BILL TO AMEND SECTION 7-27-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4805 (COUNCIL\MS\4805C001.MS.AHB14), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-5-10 of the 1976 Code, as last amended by Act 100 of 2007, is further amended to read:

“Section 7-5-10. (A)(1) Between the first day of January and the fifteenth day of March in each even-numbered year the Governor shall appoint, ~~by and with the advice and consent of the Senate~~ upon the recommendation of a majority of the weighted vote of the Senate legislative delegation and a majority of the weighted vote of the House of Representatives legislative delegation of the counties, not less than ~~three~~ five nor more than ~~five~~ nine competent and discreet persons in each county, who are qualified electors of that county and who must be known as the ‘Board of Voter Registration and Elections of County’. At least one appointee on the board shall be a member of the majority political party represented in the General Assembly and at least one appointee shall be a member of the largest minority political party represented in the General Assembly.

(2) After their appointment, the board members must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26 of Article III of the Constitution: ‘I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So help me God.’

(3) The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the office of the Secretary of State.

(4) The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.

(B)(1) The Governor shall appoint the initial appointees within six months of the effective date of this section. Four of the initial appointees shall serve two-year terms, and the remaining initial appointees shall serve four-year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves.

(2) A member must be present at a meeting in order to vote.

(3) If a member misses three consecutive meetings of the board, the chairman or his designee shall immediately notify the Governor who shall then remove the member from office.

(4) In case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

(5) The board shall elect from among its members a chairman and such other officers as it may consider desirable. The board shall then notify the State Election Commission in writing of the name of the persons elected as chairman and officers of the board. Each officer shall be elected for a term of two years.

(6) The board may hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board.

(7) Members of the board and its staff shall receive compensation as may be appropriated by the governing body of the county.

(C) The previous offices of county election commissions and voter registration boards, or combined boards are abolished. The powers and duties of the county commissions and boards of election and voter registration are devolved upon the Board of Voter Registration and Elections for each county created in subsection (A). Those members currently serving on the county boards of election, voter registration commissions, or combined boards shall continue to serve in a combined governing capacity until the successor board members established under this section are appointed and qualify.

~~(B)~~(D)(1) Each member, and each staff person designated by the board, must complete, within eighteen months after a member’s initial appointment or his reappointment following a break in service, or within eighteen months after a staff person’s initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission must issue the member or staff person a certification, whether or not the member or staff person applies for the certification.

~~(2)(a)~~ ~~The provisions of this section do not exempt any member or staff person from completing the training and certification program required in item (1).~~

~~(b)~~ ~~Any member appointed or reappointed after a break in service prior to the effective date of this section or any staff person employed or reemployed after a break in service prior to the effective date of this section must successfully complete a training and certification program by the latter of:~~

~~(i)~~ ~~eighteen months after the member’s appointment or reappointment after a break in service or the staff person’s employment or reemployment after a break in service; or~~

~~(ii)~~ ~~ninety days after the effective date of this section.~~

~~(c)~~ ~~On and after the effective date of this section, any member appointed or reappointed after a break in service or any staff person employed or reemployed after a break in service must complete the training and certification program required in item (1) within eighteen months after the member’s appointment or reappointment after a break in service or staff person’s employment or reemployment after a break in service.~~

~~(3)~~(2) If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, must remove that member from the board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

~~(4)~~(3) Following completion of the training and certification program required in item (1), each board member, and each staff person designated by the board or commission, must take at least one training course each year.”

SECTION 2. Section 7-5-20 of the 1976 Code is amended to read:

“Section 7-5-20. The board of voter registration and elections of each county may appoint deputy members of the board, in numbers as may be necessary, whose terms shall be for a period of time as determined by the boards. The deputy members shall have the same powers and duties as regular members of the board. The clerk to each board may be made a deputy member of the board for the purpose of taking applications.”

SECTION 3. Section 7-5-30 of the 1976 Code is amended to read:

“Section 7-5-30. Such boards shall register and conduct the registration of the electors who shall apply for registration in their respective counties as herein required. Their office shall be at the county seat, and they shall keep a record of all their official acts and proceedings. Provided, that nothing herein shall be construed as prohibiting the boards of registration from taking their registration books across adjoining county lines to register qualified electors of their respective county whose regular place of employment is in an adjoining county or who are otherwise unable to get to the county seat during office hours to register. One member of the board shall constitute a quorum for the purpose of registering or refusing to register applications for registration. ~~Their term of office shall be for two years from the date of their appointment, and they shall continue in office until their successors shall have been appointed and shall qualify. In case of a vacancy from any cause in any board of registration the Governor shall fill such vacancy in the same manner as provided in Section 7‑5‑10.~~”

SECTION 4. Section 7-5-35, Section 7-13-70, and Chapter 27, Title 7 of the 1976 Code are repealed.

SECTION 5. The code commissioner is directed to change all references in Title 7 to county election commissions or commissioners or county boards of voter registration to the “Board of Voter Registration and Elections of County” and board members as appropriate.

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS moved to table the amendment, which was agreed to.

Reps. CLEMMONS, J. E. SMITH, and QUINN proposed the following Amendment No. 2 to H. 4805 (COUNCIL\NBD\4805C001. NBD.AC14), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 7‑11‑30 of the 1976 Code is amended to read:

“Section 7‑11‑30. (A) A party may choose to change from nomination of candidates by primary to a method to nominate candidates by convention for all offices including, but not limited to, Governor, Lieutenant Governor, United States Senator, United States House of Representatives, Circuit Solicitor, State Senator, and members of the State House of Representatives if:

(1) there is a three‑fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party’s next primary election approve the use of the convention nomination process.

(B) A party may not choose to nominate by party convention for an election cycle in which the filing period for candidates has begun.

(C) A political party nominating candidates by party convention shall nominate the party candidates and make the nominations public not later than the time for certifying candidates to the authority charged by law with preparing ballots for the general or special election.”

SECTION 2. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 265 of 2012, is further amended to read:

“(C) The executive director shall:

(1) supervise the conduct of county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 1, Chapter 5, which administer elections and voter registration in the State and ensure those boards’ compliance with the requirements of this article and any applicable federal law by all persons involved in the elections process;

(2) conduct reviews, audits, or other postelection analysis of county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 1, Chapter 5, to ensure those boards’ compliance with the requirements of this article and any applicable federal law by all persons involved in the elections process;

(3) maintain a complete master file of all qualified electors by county and by precincts;

~~(2)~~(4) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

~~(3)~~(5) enter names on the master file as they are reported by the county registration boards;

~~(4)~~(6) furnish each county registration board with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

~~(5)~~(7) maintain all information furnished his office relating to the inclusion or deletion of names from the master file for four years;

~~(6)~~(8) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

~~(7)~~(9) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

~~(8)~~(10) obtain information from any other source which may assist him in carrying out the purposes of this section;

~~(9)~~(11) perform such other duties relating to elections as may be assigned him by the State Election Commission;

~~(10)~~(12) furnish at reasonable price any precinct lists to a qualified elector requesting them;

~~(11)~~(13) serve as the chief state election official responsible for implementing and coordinating the state’s responsibilities under the National Voter Registration Act of 1993;

~~(12)~~(14) serve as the chief state election official responsible for implementing and enforcing the state’s responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the U.S.C., Title 42, Section 1973ff, et seq; and

~~(13)~~(15) establish and maintain a statewide voter registration database that shall be administered by the commission and made continuously available to each board of elections and to other agencies as authorized by law.”

SECTION 3. A. Section 7‑5‑10 of the 1976 Code, as last amended by Act 100 of 2007, is further amended to read:

“Section 7‑5‑10. (A)(1) A county government by ordinance may elect to combine its board of registration and election commission. those counties electing to so, between the first day of January and the fifteenth day of March in each even‑numbered year the Governor shall appoint, ~~by and with the advice and consent of the Senate~~ upon the recommendation of a majority of the weighted vote of the Senate legislative delegation and a majority of the weighted vote of the House of Representatives legislative delegation of the counties, not less than ~~three~~ five nor more than ~~five~~ nine competent and discreet persons in each county, who are qualified electors of that county and who must be known as the ‘Board of Voter Registration and Elections of \_\_\_\_\_\_\_\_\_\_\_\_ County’. At least one appointee on the board must be a member of the majority political party represented in the General Assembly and at least one appointee must be a member of the largest minority political party represented in the General Assembly.

(2) After their appointment, the board members shall take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26, Article III of the Constitution of this State: ‘I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So help me God.’

(3) The oath must be filed immediately in the office of the clerk of court of common pleas of the county in which the commissioners are appointed, or if there is no clerk of court, in the Office of the Secretary of State.

(4) The Governor shall notify the State Election Commission in writing of the appointments. The members appointed are subject to removal by the Governor for incapacity, misconduct, or neglect of duty.

(B)(1) The Governor shall appoint the initial appointees within six months of the effective date of this section. Four of the initial appointees shall serve two‑year terms, and the remaining initial appointees shall serve four‑year terms. Upon expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves.

(2) A member must be present at a meeting in order to vote.

(3) If a member misses three consecutive meetings of the board, the chairman or his designee immediately shall notify the Governor who shall then remove the member from office.

(4) In case of a vacancy on the board, the vacancy must be filled in the same manner as an original appointment, as provided in this section, for the unexpired term.

(5) The board shall elect from among its members a chairman and such other officers as it may consider desirable. The board shall then notify the State Election Commission in writing of the name of the persons elected as chairman and officers of the board. Each officer shall be elected for a term of two years.

(6) The board may hire a director. The director is responsible for hiring and managing the staff. Staff positions are subject to the personnel system policies and procedures by which all county employees are regulated, except that the director serves at the pleasure of the board.

(7) Members of the board and its staff shall receive compensation as may be appropriated by the governing body of the county.

(C) The previous offices of county election commissions and voter registration boards, or combined boards are abolished. The powers and duties of the county commissions and boards of election and voter registration are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county boards of election, voter registration commissions, or combined boards shall continue to serve in a combined governing capacity until the successor board members established pursuant to this section are appointed and qualify.

~~(B)~~(D)(1) Each member, and each staff person designated by the board, must complete, within eighteen months after a member’s initial appointment or his reappointment following a break in service, or within eighteen months after a staff person’s initial employment or reemployment following a break in service, a training and certification program conducted by the State Election Commission. When a member or staff person has successfully completed the training and certification program, the State Election Commission ~~must~~ shall issue the member or staff person a certification, whether or not the member or staff person applies for the certification.

~~(2)(a)~~ ~~The provisions of this section do not exempt any member or staff person from completing the training and certification program required in item (1).~~

~~(b)~~ ~~Any member appointed or reappointed after a break in service prior to the effective date of this section or any staff person employed or reemployed after a break in service prior to the effective date of this section must successfully complete a training and certification program by the latter of:~~

~~(i)~~  ~~eighteen months after the member’s appointment or reappointment after a break in service or the staff person’s employment or reemployment after a break in service; or~~

~~(ii)~~ ~~ninety days after the effective date of this section.~~

~~(c)~~ ~~On and after the effective date of this section, any member appointed or reappointed after a break in service or any staff person employed or reemployed after a break in service must complete the training and certification program required in item (1) within eighteen months after the member’s appointment or reappointment after a break in service or staff person’s employment or reemployment after a break in service.~~

~~(3)~~(2) If a member does not fulfill the training and certification program as provided in this section, the Governor, upon notification, ~~must~~ shall remove that member from the board unless the Governor grants the member an extension to complete the training and certification program based upon exceptional circumstances.

~~(4)~~(3) Following completion of the training and certification program required in item (1), each board member, and each staff person designated by the board or commission, must take at least one training course each year.”

B. Section 7‑5‑20 of the 1976 Code is amended to read:

“Section 7‑5‑20. The board of voter registration and elections of each county may appoint deputy members of the board, in numbers as may be necessary, whose terms shall be for a period of time as determined by the boards. The deputy members shall have the same powers and duties as regular members of the board. The clerk to each board may be made a deputy member of the board for the purpose of taking applications.”

C. Section 7‑5‑30 of the 1976 Code is amended to read:

“Section 7‑5‑30. Such boards shall register and conduct the registration of the electors who shall apply for registration in their respective counties as herein required. Their office shall be at the county seat, and they shall keep a record of all their official acts and proceedings. Provided, that nothing herein shall be construed as prohibiting the boards of registration from taking their registration books across adjoining county lines to register qualified electors of their respective county whose regular place of employment is in an adjoining county or who are otherwise unable to get to the county seat during office hours to register. One member of the board shall constitute a quorum for the purpose of registering or refusing to register applications for registration. ~~Their term of office shall be for two years from the date of their appointment, and they shall continue in office until their successors shall have been appointed and shall qualify. In case of a vacancy from any cause in any board of registration the Governor shall fill such vacancy in the same manner as provided in Section 7‑5‑10.~~”

SECTION 4. Chapter 3, Title 7 of the 1976 Code is amended by adding:

“Section 7‑3‑25. The administrative functions of any county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 1, Chapter 5 may be devolved upon the State Election Commission for such time as necessary to remedy any noncompliance with applicable state or federal law or Election Commission policy with regard to the conduct of elections or the voter registration process if:

(1) the results of a postelection analysis conducted pursuant to Section 7‑3‑20(C)(2) demonstrates that a county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 1, Chapter 5, has failed to comply with applicable state or federal law or Election Commission policy with regard to the conduct of elections or the voter registration process; or

(2) if a county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 1, Chapter 5 does not or cannot determine and certify the results of an election or referendum of which it is responsible for determining and certifying the results within forty‑eight hours after the polls in that election or referendum have closed.

(3) Following the completion of no less than one statewide general election and subsequent audit by the State Election Commission, county board of elections and voter registration of whatever name or denomination, as established pursuant to Article 1, Chapter 5 may petition the State Election Commission to return administrative function that were devolved to the State Election Commission pursuant to this section. The State Election Commission must return those functions to the county board unless good cause is shown that the county board has failed to remedy the violation or omission that caused the administrative powers to be devolved to the State Election Commission. Any decision of the State Election Commission pursuant to this section may be appealed directly to the State Supreme Court.”

SECTION 5. Section 7‑5‑35, Section 7‑13‑70, and Chapter 27, Title 7 of the 1976 Code are repealed.

SECTION 6. The code commissioner is directed to change all references in Title 7 to county election commissions or commissioners or county boards of voter registration to the “Board of Voter Registration and Elections of County” and board members as appropriate.

SECTION 7. This act takes effect upon signature of the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Hiott | Hixon |
| Hodges | Horne | Huggins |
| Jefferson | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Newton | Norman |
| Norrell | R. L. Ott | Parks |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Stavrinakis | Stringer |
| Tallon | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--105**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4805--MOTION TO RECONSIDER TABLED**

Rep. CLEMMONS moved to reconsider the vote whereby the following Bill was read second time:

H. 4805 -- Reps. Clemmons and J. E. Smith: A BILL TO AMEND SECTION 7-27-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; AND TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY.

Rep. CLEMMONS moved to table the motion to reconsider, which was agreed to.

**H. 4665--RECONSIDERED**

Rep. DELLENEY moved to reconsider the vote whereby the following Bill was committed to the Judiciary Committee, which was agreed to:

H. 4665 -- Reps. H. A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-185 SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A MINOR CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, TO REQUIRE CHILDCARE FACILITIES TO MAINTAIN RECORDS THAT DOCUMENT RECEIPT OF PARENTAL PERMISSION, AND TO PROVIDE CRIMINAL PENALTIES.

**H. 4665--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4665 -- Reps. H. A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-13-185 SO AS TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A MINOR CHILD BY AN EMPLOYEE OR VOLUNTEER OF A CHILDCARE FACILITY WITHOUT PARENTAL PERMISSION, TO INCLUDE EXCEPTIONS IN CIRCUMSTANCES OF EMERGENCIES, TO REQUIRE CHILDCARE FACILITIES TO MAINTAIN RECORDS THAT DOCUMENT RECEIPT OF PARENTAL PERMISSION, AND TO PROVIDE CRIMINAL PENALTIES.

The Committee on Medical, Military, Public and Municipal Affairs proposes the following Amendment No. 1 to H. 4665 (COUNCIL\GGS\4665C001.GGS.VR14), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 13, Title 63 of the 1976 Code is amended by adding:

“Section 63‑13‑185. (A) For purposes of this section, ‘medication’ means a drug that may be obtained with or without a prescription.

(B) It is unlawful for a director, owner, operator, caregiver, employee, or volunteer of a childcare facility, as defined in Section 63-13-20, to administer medication to a child under the care of the facility unless:

(1) the parent or guardian of the child has submitted to the childcare facility prior to the administration of the medication a signed and dated parental consent form that authorizes the facility to administer the medication to the child, and the authorization is for not longer than one year;

(2) the medication is administered as stated on the label directions, or as amended in writing by the child’s healthcare provider; and

(3) the medication has not expired.

(C)(1) Notwithstanding subsection (B), a director, owner, operator, caregiver, employee, or volunteer of a childcare facility may administer medication to a child without a signed authorization if the parent or guardian:

(a) submits to the childcare facility an authorization in an electronic format; or

(b) authorizes the childcare facility by telephone to administer a single dose of a medication.

(2) Written documentation of the electronic or telephonic authorization must be maintained by the facility in the child’s record.

(D) This section does not apply to a person that administers a medication to a child in a medical emergency to prevent the death of or serious bodily injury to the child if the medication is administered as prescribed, directed, and intended.

(E) A childcare facility shall maintain in each child’s record all written documentation and records of verbal communication that confirm parental or guardian permission to administer medication to the minor child as required pursuant to this section.

(F) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than one year, or both.”

SECTION 2. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. R. L. OTT explained the amendment.

The amendment was then adopted.

Reps. H. A. CRAWFORD and WHITE proposed the following Amendment No. 6 to H. 4665 (COUNCIL\DKA\4665C009. DKA.VR14), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION \_\_. Section 63‑13‑80(A) of the 1976 Code is amended to read:

“(A) In exercising the powers of licensing, approving, renewing, revoking, or making provisional licenses and approvals, the department shall investigate and inspect licensees and approved operators and applicants for a license or an approval. The authorized representative of the department may visit a childcare center, ~~or~~ group childcare home, or family childcare home anytime during the hours of operation without prior notice once a year for purposes of investigations and inspections. In conducting investigations and inspections, the department may call on political subdivisions and governmental agencies for appropriate assistance within their authorized fields. The inspection of the health and fire safety of childcare centers and group childcare homes must be completed upon the request of the department by the appropriate agencies (i.e., Department of Health and Environmental Control, the Office of the State Fire Marshal, or local authorities). Inspection reports completed by state agencies and local authorities must be furnished to the department and become a part of its determination of conformity for licensing and approval. After careful consideration of the reports and consultation where necessary, the department shall assume responsibility for the final determination of licensing, approving, renewing, revoking, or making provisional licenses and approvals. However, upon receipt of a regulatory complaint, the department shall conduct an unannounced inspection of the facility to investigate the complaint. If the complaint is written, the department shall provide a copy to the director upon request.”

SECTION \_\_. Section 63‑13‑840 of the 1976 Code is amended to read:

“Section 63‑13‑840. ~~(A)~~ ~~The department shall visit the facility when concerns are expressed by the community regarding the health and safety of the children, child abuse, or enrollment beyond the limits set forth in this chapter.~~

~~(B) If the concern is in regard to the health and safety of the children, the department may call on other appropriate agencies (i.e., State Department of Health and Environmental Control, Office of the State Fire Marshal) as necessary to conduct an inspection.~~

~~(C)~~ If ~~the concern~~ a complaint received by the department concerning a family childcare home pursuant to Section 63‑13‑80 indicates that the child has been abused, the department shall carry out its responsibility as authorized under Chapter 7. ~~(D)~~ If the visits and inspections verify conditions detrimental to the health and safety of the children or overenrollment, the department shall carry out its responsibility as authorized by Section 63‑13‑160 and Section 63‑13‑830(C).” /

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowers | Branham |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Knight | Limehouse |
| Loftis | Long | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--109**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 5072--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Tuesday, May 6, which was adopted:

H. 5072 -- Reps. K. R. Crawford, Hosey, Anderson, Bannister, Finlay, Brannon, Burns, Clyburn, Erickson, Sandifer, Bales, Barfield, Clemmons, Crosby, Daning, Goldfinch, Hamilton, Hardwick, Hayes, Henderson, Loftis, Lowe, V. S. Moss, Nanney, Pitts, Ryhal, G. R. Smith, Sottile, Stringer, Thayer, Wells, White, Whitmire and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-7-1655 SO AS TO ESTABLISH PROTOCOLS FOR THE APPOINTMENT OF A SPECIAL PROSECUTOR FOR CONSTITUTIONAL OFFICERS AND CERTAIN OTHER OFFICERS ALLEGED TO HAVE COMMITTED CRIMINAL VIOLATIONS OF CHAPTER 13, TITLE 8 OR ALLEGED TO HAVE COMMITTED AN ACT OF PUBLIC CORRUPTION.

**H. 5073--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Joint Resolution until Tuesday, May 6, which was adopted:

H. 5073 -- Reps. K. R. Crawford, Southard, Anderson, Finlay, Brannon, Bannister, Erickson, Burns, Williams, Hosey, Sandifer, Bales, Barfield, Clemmons, Crosby, Daning, Goldfinch, Hamilton, Hardwick, Hayes, Henderson, Loftis, Lowe, V. S. Moss, Nanney, Pitts, Ryhal, G. R. Smith, Sottile, Stringer, Thayer, Wells, White and Whitmire: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 24, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THOSE CONSTITUTIONAL OFFICERS PROVIDED FOR THE ENFORCEMENT AND PROSECUTION OF THE CRIMINAL LAWS OF THIS STATE, ADMINISTRATIVE FUNCTIONS OF THE COURTS, THE AUTHORITY OF THE GENERAL ASSEMBLY TO PROVIDE FOR THEIR QUALIFICATIONS, DUTIES, AND COMPENSATION, AND THE AUTHORITY OF THE ATTORNEY GENERAL AS THE CHIEF PROSECUTING OFFICER OF THE STATE WITH SUPERVISORY AUTHORITY OVER THE PROSECUTION OF ALL CRIMINAL CASES IN COURTS OF RECORD, SO AS TO DELETE LANGUAGE PROVIDING THAT THE ATTORNEY GENERAL IS THE CHIEF PROSECUTING OFFICER OF THE STATE WITH AUTHORITY TO SUPERVISE THE PROSECUTION OF ALL CRIMINAL CASES IN COURTS OF RECORD.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. SKELTON a leave of absence for the remainder of the day.

**H. 4607--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4607 -- Reps. Hiott, Bedingfield, Vick, Long, D. C. Moss, Crosby, Norman, Wells, Willis, Pitts, George, Bales, Allison, Forrester, Wood, Hixon, Erickson, Ballentine and Skelton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE "TRESPASSER RESPONSIBILITY ACT" WHICH PROVIDES A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4607 (COUNCIL\BBM\4607C001.BBM.DG14), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Title 15 of the 1976 Code is amended by adding:

“CHAPTER 82

Trespasser Responsibility Act

Section 15‑82‑10. (A) As used in this chapter:

(1) ‘Possessor of land’ means the possessor of any fee, reversionary, or easement interest in real property, including an owner, lessee, or other lawful occupant;

(2) ‘Trespasser’ means a person who enters or remains on the land of another without permission, express or implied, or without legal right or privilege.

(B) A possessor of land owes no duty to a trespasser except to refrain from causing an intentional, reckless, wilful, or wanton injury.

(C) Notwithstanding subsection (B), a possessor of land is subject to liability for physical harm to children trespassing thereon caused by an artificial condition upon the land if:

(1) the place where the condition exists is one upon which the possessor knows or has reason to know that children are likely to trespass;

(2) the condition is one of which the possessor knows or has reason to know and which he realizes or should realize will involve an unreasonable risk of death or serious bodily harm to such children;

(3) the children, because of their youth or mental capacity, do not discover the condition or realize the risk involved in intermeddling with it or in coming within the area made dangerous by it;

(4) the utility to the possessor of maintaining the condition and the burden of eliminating the danger are slight as compared with the risk to children involved; and

(5) the possessor fails to exercise reasonable care to eliminate the danger or otherwise to protect the children.

(D) Notwithstanding subsection (B), a possessor of land is subject to liability for physical harm to any person who suffers injury or death while attempting to rescue a child from a danger created by an artificial condition on land if the possessor is also liable for injury to the child pursuant to subsection (C).

(E) This chapter does not affect any immunities from or defenses to civil liability established by another section of the South Carolina Code of Laws or available at common law to which a possessor of land may be entitled.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. HORNE moved to table the amendment, which was agreed to.

Rep. HIOTT proposed the following Amendment No. 2 to H. 4607 (COUNCIL\NBD\4607C001.NBD.AC14):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 75, Title 15 of the 1976 Code is amended by adding:

“Section 15-75-80. (A) A possessor of real property, including an owner, lessee, or other lawful occupant, owes no duty of care to a trespasser except in those circumstances where a common law right of action, statutory right of action, or judicial exception existed as of July 1, 2014.

(B) This section does not affect any immunities from or defenses to liability established by another provision of law or available at common law to which a possessor of real property may be entitled.”

SECTION 2. This act takes effect July 1, 2014. /

Renumber sections to conform.

Amend title to conform.

Rep. HIOTT explained the amendment.

Rep. HIOTT moved to adjourn debate on the Bill until Thursday, May 1, which was agreed to.

**S. 1070--DEBATE ADJOURNED**

Rep. HIOTT moved to adjourn debate upon the following Bill until Tuesday, May 6, which was adopted:

S. 1070 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-525 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES THE AUTHORITY TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING WILD TURKEY; AND TO AMEND SECTION 50-11-520, AS AMENDED, 50-11-530, 50-11-540, AND 50-11-544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEYS, TO ESTABLISH "SOUTH CAROLINA YOUTH TURKEY HUNTING DAY", TO ESTABLISH BAG LIMITS FOR THE TAKING OF MALE WILD TURKEYS, TO PROVIDE THAT THE DEPARTMENT MUST CONDUCT AN ANALYSIS OF THE STATE'S WILD TURKEY RESOURCES AND ISSUE A REPORT TO THE GENERAL ASSEMBLY WHICH RECOMMENDS CHANGES TO THE WILD TURKEY SEASON AND BAG LIMITS, TO REVISE THE DEPARTMENT'S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, AND TO ALLOW IT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT REGULATE THE HUNTING OF WILD TURKEY, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL.

**H. 5126--POINT OF ORDER**

The following Bill was taken up:

H. 5126 -- Reps. Tallon, Allison, Patrick, Burns, Atwater, Bannister, Chumley, Erickson, Forrester, Gagnon, Hardee, Loftis, D. C. Moss, Norrell and Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-13-180 SO AS TO PROVIDE THAT ANY PUBLIC, PRIVATE, OR NONPROFIT ENTITY WHICH IS ENGAGED IN HELPING TO REHABILITATE AND REINTRODUCE PAROLED PRISON INMATES INTO THE COMMUNITY AND WHICH AS A PART OF ITS PROGRAM PROVIDES RESIDENTIAL HOUSING IN THE COMMUNITY TO THESE PAROLEES MUST PROVIDE NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COMMUNITY OF THE ADDRESSES WHERE THESE RESIDENTIAL HOUSING FACILITIES WILL BE LOCATED, AND ALSO MUST CONDUCT A PUBLIC HEARING REGARDING THE PROGRAM AND THE LOCATION OF THESE RESIDENTIAL HOUSING FACILITIES IN THE COMMUNITY WHERE THEY WILL BE LOCATED.

Rep. TALLON spoke in favor of the Bill.

**POINT OF ORDER**

Rep. WILLIAMS made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

Rep. HAMILTON moved that the House do now adjourn, which was agreed to by a division vote of 48 to 45.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5120 -- Reps. Finlay, Bales, Ballentine, Bernstein, Douglas, Hart, Howard, McEachern, M. S. McLeod, Neal, Rutherford, J. E. Smith, Atwater, Bingham, Huggins, Kennedy, Quinn, Spires and Toole: A CONCURRENT RESOLUTION TO CONGRATULATE DR. MARSHALL "SONNY" WHITE, PRESIDENT OF MIDLANDS TECHNICAL COLLEGE, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

H. 5149 -- Reps. Huggins, Kennedy, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CAPTAIN DANIEL C. HENNIGAN, UNITED STATES ARMY RETIRED, OF LEXINGTON COUNTY AND TO COMMEND HIM FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY, TO OUR STATE, AND TO THIS NATION.

H. 5175 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RODNEY MCCLURE FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

H. 5176 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ROBERT USSERY FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

H. 5177 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TIMOTHY SIEVERS FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

H. 5178 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JOHN "JACK" MITCHELL FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

H. 5179 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JERRY HILL, JR., FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

H. 5180 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TERRELL BURCH FOR HIS EXTRAORDINARY VOLUNTEER SERVICE TO HIS COMMUNITY AND TO CONGRATULATE HIM UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

H. 5181 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MARY BOTHNER FOR HER EXTRAORDINARY VOLUNTEER SERVICE TO HER COMMUNITY AND TO CONGRATULATE HER UPON RECEIVING THE PRESIDENT'S VOLUNTEER SERVICE AWARD.

**ADJOURNMENT**

At 6:27 p.m. the House, in accordance with the motion of Rep. FUNDERBURK, adjourned in memory of Fergus Reid Buckley of Camden, to meet at 10:00 a.m. tomorrow.

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